

# **THE MODEL OF ETHNIC DEMOCRACY**

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## 1. About the Author

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## **2. Acknowledgments**

This paper integrates two unpublished papers. The initial draft of the first paper, “The Model of Ethnic Democracy: Characteristics, Cases and Comparisons,” was written during my term as a Skirball Visiting Fellow at the Oxford Centre for Hebrew and Jewish Studies, Yarnton-Oxford (Spring 1997) and later versions during my stay as a Visiting Research Fellow at the Wissenschaftszentrum Berlin für Sozialforschung (WZB) (Summer 1997) and the Arnold Bergstraesser Institut (Summer 1999). The draft of the other paper, “The Model of Ethnic Democracy: Comparing Israel, Slovakia and Estonia,” was written during my work at the Yitzhak Rabin Center for Israel Studies (Spring 2001). The present integrated, expanded and revised version was prepared while serving as a Visiting Research Fellow at the European Centre for Minority Issues (ECMI) (Summer 2001). The support of all these research institutes is greatly appreciated.

Various versions of the paper were presented in conferences, including the conference on “The New Politics of Ethnicity, Self-Determination and the Crisis of Modernity,” organized by The Morris E. Curiel Center for International Studies, Tel Aviv University, May 1995; the conference on “Nationalism and Democracy,” in connection with the seventh annual conference of ASEN (Association for the Study of Ethnicity and Nationalism), London School of Economics, April 1997; the conference on “Structural and Behavioral Aspects of Democracy,” held at the University of Haifa and Israel Democracy Institute, Jerusalem, May 1997; and the conference on “Multiculturalism and Democracy in Divided Societies,” organized by the Center of Multiculturalism and Educational Research, University of Haifa (March 1999).

Comments of discussants in these conferences and numerous workshops and seminars were valuable for advancing my thinking on the theme of the paper.



### 3. Abstract

*The classical model of the liberal-democratic nation-state is on the decline in the West as a result of globalization, regionalization, multiculturalism, the institutionalization of universal minority rights and the rise of minority ethnonationalism. While western countries are decoupling the nation-state and slowly shifting toward multicultural democracy, some other countries are consolidating an alternative form of a democratic state that is identified with and subservient to a single ethnic nation. This type of political regime, "ethnic democracy," combines the extension of civil and political rights for all permanent residents with an institutionalized ethnic ascendancy of the majority group. The core ethnic nation controls the state and uses it to further its national interests and to grant its members a favored status. The non-core groups are accorded individual and collective rights and allowed to conduct a struggle for change, but treated as second-class citizens and placed under control.*

*In this paper the model of ethnic democracy is presented in a full and in a mini version. The model consists of three parts: features of the regime, the circumstances leading to it and the conditions contributing to its stability. The criticisms against the general model, relating to its alleged illegitimacy, instability and inefficiency, are discussed and answered. Ethnic democracy is also distinguished from civic democracies (individual liberal democracy, republican liberal democracy, multicultural democracy, consociational democracy) on the one hand, and from quasi- or non-democracies (control, Herrenvolk democracy, ethnocracy), on the other.*

*The mini-model of ethnic democracy is applied in detail to Israel, which serves as an archetype and a springboard for its initial formulation. It is applied in a condensed form to Slovakia and Estonia, and is illustrated very briefly by Northern Ireland (1921-72), Poland (1918-35) and Malaysia.*

*It is posited that the model of ethnic democracy is particularly valid for democratizing states that attempt to manage their divided societies without giving up structured majority dominance. Some countries in Central Eastern Europe are strongly disposed to this strategy. More applications of the model are needed in order to develop it further.*

### 4. Introduction

The classical democratic, homogeneous nation-state in the West has been under attack since World War Two. Some of the forces impinge on the nation-state "from above." They include regionalization and globalization which both decrease the strength of the state and create overarching transnational entities and identities. The European Union is the leading regional power in the world. The building of a European market, a parliament, a mutually compatible social security system, and a common identity blurs the boundaries between nation-states and strengthens transnational and regional considerations. The globalization of the economy, of mass communication, tourism and culture also enfeebles the bounded nation-state and

encourages transnational thinking and interests. We are also witnessing a phenomenal growth of what Kymlicka (2001) calls “universal minority rights,” namely, international standards for the treatment of ethno-cultural groups (immigrants, national minorities, indigenous peoples), grounded in international law, international conventions and inter-state treaties. This is not just a universal moral code but also a set of rules for international intervention in case of gross violations of minority rights. It is certainly bound to erode the sovereignty of the state and its authority to act single-handedly.

Other developments undermine the nation-state “from the bottom.” The combination of ongoing democratization and continued cultural and economic deprivation of indigenous minorities reinforces their nationalism and claims for cultural retention and political representation. Spain is a prime example. The flow of non-assimilating immigrants and the rise of minority nationalism seriously challenge the homogeneity of the nation-state and its intolerance of ethnic and cultural diversity. This trend of change in the West gradually decouples nation and state, fosters tolerance of ethnic heterogeneity, and scatters multiculturalism as an ideology.

In a world of states internally divided by ethnicity, nationality, religion, language, or race (A. Smith 1995) and in an era of growing democratization (Huntington, 1991), it is doubtful, therefore, if the liberal-democratic nation-state is still the most fruitful model for describing and analyzing the complex realities of political systems existing, changing, or emerging in the West and in divided societies all over the world. Alongside this liberal type of democracy, the West has another, though infrequent, type, known in the literature as “consociational democracy.” It is exemplified by Belgium and based on the idea of bilingualism, biculturalism and binationalism. It is, nevertheless, unrealistic to expect liberal and consociational democracies, the two main models recognized in the West today and identified in the current literature of comparative politics, to properly represent the increasing diversity of democratic political systems worldwide.

Since the late sixties the old Western liberal democracies have been positively responding to strong pressures to accommodate minority demands for equal rights and opportunity and for the recognition of separate cultures and identities. The politics of difference and multiculturalism has forced these liberal democracies, which formally ignore ethnic differences, to open up and to support some sort of collective rights. These democracies are thus transforming themselves into a new system that can be

called “multicultural democracy,” positioned somewhere between liberal and consociational democracy.

While western countries are moving away from the homogenous nation-state toward multiculturalism, some other countries are building a nation-state. In many countries that lack a democratic tradition, the state is dominated by a single ethnic group and it takes the form of an “ethnic state,” i.e. the state is used as a means to institutionalize dominance and privilege of one ethnic group. The question is what forms of democracy these ethnically divided societies or non-democratic ethnic states take in response to challenges by non-dominant ethnic groups or when they embark on a transition to democracy.

The collapse of Communism, the liberation of Eastern Europe from Soviet tutelage, the end of the Cold War and the breakup of the Soviet Union, Yugoslavia and Czechoslovakia, have stirred many suppressed ethnic and national conflicts and unleashed attempts to establish democracies in divided societies. Yet democratization is a global wave engulfing countries in eastern and southern Europe, Latin America and other areas. What are the types of democracy available to these democratizing states in ethnically divided societies for consideration and emulation?

Ethnic and national cleavages constitute a major impediment to democratization. According to Brubaker (1996), three types of nationalism interact to destabilize the new or restructured states in inter-war and post-1990 Europe. Looming largest is the “nationalism of the nationalizing state,” aiming to cast the state as an ethnically homogenous nation-state, a state of and for a particular nation, “to make the state what it is properly and legitimately destined to be, by promoting the language, culture, demographic position, economic flourishing, or political hegemony of the nominally state-bearing nation” (p. 63). The “nationalism of the national minority” seeks to forestall these nationalizing policies and practices, to do away with discrimination and exclusion, to pursue autonomy, and sometimes even to push for secession. The third kind is the “nationalism of the external homeland” that sees itself responsible for the welfare and fate of the non-citizen co-ethnic minority in another state and intervenes on its behalf. This triadic, conflict-ridden configuration of nationalisms is different from the problems of national integration in older European and post-colonial states in Africa and Asia.

By the same token, Linz and Stepan (1996) see nationalism, or more precisely, the state policy to create a nation-state in a divided society, as a hindrance to the

consolidation of democracy. Many contemporary European liberal democracies implemented a policy of cultural and ethnic homogenization. They did so over a period of over several centuries and applied coercion when necessary. More recently, however, these western states are reversing the historical trend and moving in the direction toward multicultural democracy.

A homogenizing policy would encounter strong resistance in democratizing states today. This is because it is executed rather swiftly, coercion is today easier to resist, the ethnic elite has ample resources to mobilize the minority, the minority may have an external homeland that can intervene, minorities are growing in size and getting more dispersed, and the present international community is more tolerant of cultural diversity. Some of the democratizing states also suffer from a sharp disagreement between majority and minority on fundamental issues such as the very separateness of a given state, the demarcation of its borders and the rules of citizenship and naturalization. It is suggested that the greater ethnic heterogeneity, majority-minority discord and awakening and resistance of minorities, the greater the need for state policies of full enfranchisement, recognition and acceptance of ethnic differences and extension of some group rights.

Schopflin (2000) regards ethnonationalism as a real hindrance to democratization in post-communist states: “post-communist governments take the view that they do not represent citizens but the nation” (1996: 153). Ethnicity fills in the gap created by the destruction of civil societies by communism. In these states, there is a strong tendency for indigenous minorities to be non-assimilating, for majorities to be intolerant of cultural diversity and suspicious of claims for special rights based on ethnicity, and for various essentially non-ethnic issues to be ethnicized.

The type of political system evolving in some of these democratizing states does not correspond to any of the known models. It can be called “ethnic democracy,” a regime that combines a structured ethnic dominance with democratic rights for all. The identification of this new kind of regime serves the need to expand and refine the types of democracy in order to better describe and understand the growing variegation of democratic and semi-democratic systems in a world of states internally divided by ethnicity.

Linz and Stepan (1996: 428) make a step in this direction. They identify four democratizing strategies for handling ethnic cleavage. Their four-fold typology is based on two criteria: the nation-building ideology (demos [i.e., population] and

nation should be the same versus the possibility that they can be different) and the state-building strategy (exclusion versus inclusion of minority members as full citizens). While this scheme spells out two important dimensions, it does not provide a full-fledged multidimensional classification that can sensitize the user to more complex situations.<sup>1</sup>

I suggest to enrich our typology of democracy with two new types – multicultural democracy and ethnic democracy. Both promise to be useful for both old and new democracies. This article briefly presents the various models of democracy but its main purpose is to introduce and to elaborate on the model of ethnic democracy.

## 5. Defining Democracy

The common approach in the social sciences is to define concepts as continuous variables, to divide the continuum into sections, to mark off points of transition between sections, and to identify a distinct type for each section. According to this approach, the term “democracy,” when it is restricted to a political regime only, can be defined as a continuous variable divided into a positive sector in which democratic regimes are located, a negative sector of non-democratic regimes, and a transition zone that separates them. The most widespread and accepted definition of democracy is minimal and procedural,<sup>2</sup> according to which democracy is a regime that is characterized by free elections, universal suffrage, change of governments and respect of civil rights. This definition enables many countries to be included in the democratic camp, does not impose strict western criteria and recognizes numerous and novel versions of democracy.

The minimal and procedural definition and the rising democratization of the world since the mid 1970s increase steadily the number of countries considered democratic. The American institute Freedom House conducts an annual survey of the current status of democracy in the world, based on the procedural definition and on two

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<sup>1</sup> To illustrate the ambiguity of the four types in the Linz-Stepan typology, let us consider the Israeli case. Israel would fall in Type III (its elite subscribes to the ideology that demos and nation should be the same and the state institutes an inclusionary strategy because Israel extends full citizenship to the Arab minority). This type implies that the state would “make a major effort to assimilate minorities into national culture and give no special recognition to minority political or cultural rights.” As we will see below, Israel definitely does not pursue such a policy. At the same time, it will be wrong to classify Israel into Type IV since it is not a consociational democracy.

<sup>2</sup> There is voluminous literature on this definition (see list in Collier and Levitsky 1997, note 13 on p. 434). For instance, Dahl (1971) discusses the minimal aspect of the definition and Huntington (1991: 9) takes up the procedural aspect.

measuring scales with a range of 1-7 ranks: one scale refers to political rights (the right to vote, formation of political parties, free and fair elections), and the other scale refers to civil liberties (freedom of expression, freedom of association, freedom of religion). According to the 1984 survey, 36 per cent of the people lived in “free” countries (22 per cent in “partly free” countries, and 42 per cent in “not free” countries (Gastil 1985: 165), whereas according to the 1999 survey, the figures were 39, 25 and 36 per cent respectively (Karatnycky 2000). This global survey included all the 192 countries that were independent in 1999: 85 countries were classified as “free” (in which lived 2.34 billion persons, 39 per cent of the world population), 59 as “partly free” (1.5 billion, 25 per cent) and 48 as “not free” (2.1 billion, 36 per cent).<sup>3</sup>

The flow of democratization has created a wide spectrum of forms of democratic regimes and blurred the boundaries between democracy and non-democracy: “The recent global wave of democratization has presented scholars with the challenge of dealing with a great diversity of post-authoritarian regimes” (Collier and Levitsky 1997: 430).

Collier and Levitsky review in detail the various methods researchers use to deal with this new problem. The challenge to comparative study stems from the deviation of some of the regimes from the democracies practiced in progressive industrial societies. Many researchers cope with this challenge by adding adjectives to democracy. This strategy is designed to increase the analytical differentiation and to maintain conceptual validity but without conceptual stretching. It is done by digressing to some extent from the classical western types of democracy. One of the good methods is the use of “diminished adjectives.” This method neither broadens nor blurs the type of democracy but rather sharpens its original meaning by emphasizing a characteristic that is either lacking or deficient. For instance, the diminished type “restrictive democracy” is given to regimes that prevent certain political parties from participating in elections and violate the right of every party to vie for power. Another advantage of a diminished type of democracy is the avoidance of a simplistic dichotomy “democracy-nondemocracy” and the recognition of the mixed and hybrid nature of many of the new and renewed regimes.

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<sup>3</sup> Huntington, who identified a third wave of democratization in the world, estimated that there were in 1990 130 countries with a population of at least one million, of which 59 (45.4 per cent) were democratic, in comparison with 30 democratic countries out of 122 (24.6 per cent) with a population of at least one million in 1973 (Huntington 1991: 26).

Another way to cope with the challenge of identifying and classifying political systems, with the transition to an era of multiplicity of democratic regimes, is to focus on the dimension of *quality* of democracy. Democratic regimes that meet the minimal and procedural definition differ considerably in the degree of their quality. As the number of democratic regimes rises, greater attention should be given to the assessment of their quality. Endorsing this position, Etzioni-Halevy explains why: “Democratic procedures are not enough. Such procedures produce democracy, but procedures alone cannot produce a high quality of democracy” (Etzioni-Halevy 1999: 181).

Quality of democracy may be reflected in general consensus on democratic procedures, equality of civil and political rights, legitimacy of all votes<sup>4</sup>, political tolerance, the exclusivity of parliamentary laws,<sup>5</sup> reduction of class inequality, ease of mobility to political elites, political representation of all population groups and effective struggle of deprived groups.

In addition to quality, democracies differ also in degree of their stability and efficiency. Stable democracy prevails in times of rapid change and deep crisis. Instability can stem from unsettled internal conflicts. Efficient democracy makes it possible to regulate conflicts between population groups peacefully. There is no necessary connection between quality, stability and efficiency of political regimes.

Democratic regimes fall into two main categories: civic democracies whose cornerstone is the citizen or the citizenry irrespective of ethnic descent or religion; and ethnic democracies in which the ethnic nation is the centerpiece. Each category has subtypes.

## **6. Types of Civic Democracy**

It is possible to identify four types of civic democracy that are relevant to the comparative study of divided societies. These are individual liberal democracy, republican liberal democracy, consociational democracy, and multicultural

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<sup>4</sup> While votes of minorities are equally counted and influential, they may be considered illegitimate because ethnic majorities feel that in certain issues they should decide alone.

<sup>5</sup> “Exclusivity” means that parliament is the only body that makes laws and does not delegate legislative powers on national level to other institutions. This principle is violated, for instance, in case of religion exclusively mandated by parliament to administer marriage and divorce.

democracy. They differ in the way they handle ethnicity and in the kind of rights extended to the ethnic groups.

### **A. Individual Liberal Democracy**

In this type of democracy the state refers to citizens, provides them with rights, and demands from them to fulfill duties. Ethnic origin is privatized, not the basis for acquiring citizenship, and is not subject to legislation or state intervention. The state administers a policy of non-discrimination to insure equal opportunity. Members of ethnic groups are free to mix or to keep apart, to intermarry or to marry within the group, and to join the common state institutions or to construct their own at their own cost. Although the option of separation exists, the pressure to assimilate is very strong because the society at large is widely open and the individual, not the ethnic group, is the center of society.

In this entirely individual-based democracy, the nation is subservient to the state. It is a civil, legal and territorial nation that every citizen belongs to automatically. The state is officially not identified with any ethnic nation, language and culture. It derives its legitimacy either from acquiescence in a formal constitution (“constitutional patriotism”) or from living on a shared territory, neither from a wide value consensus nor from a deep sense of belonging to a nation. The framework of individual liberal democracy is not the nation-state but rather the state as a common, shallow, instrumental and convenient bond for individual citizens.

In individual liberal democracy the state itself is subservient to the individual, who is the centerpiece of society. The individual is conceived of as autonomous and free as long as he does not impinge on the rights of others or violate “universal” norms (e.g., commits infanticide). In addition, the state power to restrict individuals and to mold them into a certain type of person is minimized.

Critics emphasize the inherent weakness of this conception of individual liberal democracy. The communitarians criticize its expressly atomizing conceptualization of society as a collection of individuals, its utter disregard of communities and its implicit discouragement of social solidarity. More importantly, individual liberal democracy is a purely normative model that hardly exists in reality. There is not even one case of democracy that fits the model well. Western democracies developed historically as nation-states that have been dominated by and identified with titular



nations. They have never been empty legal settings for unattached and indifferent individuals.

## **B. Republican Liberal Democracy**

In contrast to the individual liberal democracy that seems to be an abstract and remote model rather than a familiar reality, republican liberal democracy is the most common and best-known type in the world. This is the political system that supposedly prevails in most Western states (Ackerman 1992). Similar to individual liberal democracy, equal individual rights are granted and collective rights are denied, but the framework for democracy is the civic nation-state that constitutes a “super community” for the citizens. In addition to being part of the republican state community, every citizen also belongs to a particular community (a cultural, linguistic, or ethnic group that provides a sense of belonging, identity, meaning and purpose). The state is identified with a certain language and culture that every citizen is required to adopt. Legal citizenship and acquisition of the state language and culture are sufficient for inclusion in the nation-state. The criteria for inclusion are non-ethnic, non-religious and non-ascriptive.

The republican liberal democracy stratifies citizens according to their contribution to the common good. The civic nation that appropriates the state is a moral community with common national goals and a clear conception of the common good. Citizens are self-conscious individuals who are politically active in defining and promoting the common good (Oldfield 1990). Although formally equal, they are divided into “rank and file citizens” who enjoy just the common individual rights and the “good citizens” who get full privileges in exchange for their contribution to the civic virtue.

The liberal nature of republican liberal democracy is anchored in its pervasive openness. It is liberal through inclusiveness: every citizen who acquires the titular language and culture is fully included in the nation-state and nobody is excluded on the basis of race, ethnicity, gender, or religion. It is also liberal in its voluntary character: the rule of inclusion and exclusion is willingly accepted and legitimized by individuals and groups in society. And lastly, republican liberal democracy is liberal in being an open-ended system, always subject to change: all citizens, as individuals or groups, can participate in determining, shaping and altering the societal goals and the definition of who is a good citizen.

Multiculturalists attack republican liberal democracy for its mishandling of non-dominant ethno-cultural groups (Gutmann 1992; Parekh 2000). The titular group imposes its own language, culture and identity on the entire society and forces the other groups to abandon and compromise their distinct heritage. Consequently many groups are pressured to assimilate or are subjected to gross permanent discrimination.<sup>6</sup> Republican liberal democracies do not practice the liberal features they are noted for either. While they are formally and ethnically inclusive, they alienate and coerce non-assimilating groups and disable them from revamping the system. To illustrate, in France, the archetype of republican liberal democracy, Corsicans are repeatedly denied any legal recognition of being nationally non-French and Moslem girls are denied wearing headscarves in public schools.

The western republican liberal democracy evolved over several centuries through destruction of ethnic groups, involuntary assimilation, genocide of native populations and other means of forcible nation-building. After achieving relative cultural homogeneity and basic consensus, republican liberal democracy can function rather smoothly. It usually does justice to individuals and ethnic groups which are more concerned with equal opportunity than with the preservation of their separate collective existence and identity.

Despite their deviation from their declared liberal principles and other shortcomings, republican liberal democracies are still quite useful for analyzing most western societies. Do we have any better model of democracy to characterize France or Denmark? We do not. Even imperfect republican liberal democracies adhere to the liberal principles of separation of ethnicity from the state, individual civil equality, tolerance, non-discrimination and substantial openness for orderly and peaceful change.

### **C. Consociational Democracy**

The term consociational democracy was introduced in response to the wholesale failure of liberal democracies in the new, post-colonial states in Africa and Asia. The Anglo-Saxon, majoritarian type of democracy, which was imposed by the colonial

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<sup>6</sup> While it always constitutes a challenge of the dominant cultural group and a demand from the state to recognize and support group differences, multiculturalism varies widely in import and political agenda. According to Joppke (2000), multiculturalism takes the form of a claim of group rights in the United States, an anti-colonial discourse and struggle in the United Kingdom and an objection to an ethnic nation in Germany.

powers on these states, collapsed soon after independence. Lijphart (1977), who first suggested and developed the new model, explained the failure by the lack of fitness of liberal democracy to deeply divided societies.

Lijphart identified certain Western democracies as non-liberal, consociational (or semi-consociational) democracies, like Switzerland, Belgium, Canada and Finland. During the 1970s and 1980s a large literature emerged in which consociationalism was elaborated, applied to many historical and contemporary cases and criticized. In consociational democracy ethnic groups are recognized by the state and given all the necessary conditions, such as separate communities, language rights, schools and mass media, to preserve their separate existence and identity. Consociational democracy operates through the mechanisms of group autonomy, proportional representation, politics of compromise and consensus, coalition government (elite cartel) permanently engaged in negotiations, and veto power on decisions vital to group interests. The state takes a neutral stand toward the conflict between the groups and impartially implements the compromises reached by group elites.

Lijphart maintains that consociational democracy is appropriate to societies with moderate ethnic differences and conflicts. While it cannot insure political stability in deeply divided societies, it stands a limited but better chance than any form of liberal democracy. He also argues that consociational democracy is fairer than the liberal type because it provides collective rights in addition to individual rights.

Critics of consociational democracy advance several arguments. Some argue that consociationalism distorts democracy because recognition of group rights violates individual and human rights, and any allocation that is not fully meritocratic causes a waste of talents and skills (Glazer 1995). Others hold that consociational democracies are by nature stagnant, conservative, unable to handle change and hence unstable in the long run (e.g., the collapse of democracy in Lebanon as a result of the change in the demographic ratios of the communities; the perennial problems inflicting Belgium, Canada and India). Still others maintain that successful consociational democracies like Switzerland are territorial-confederal but, strictly speaking, not consociational (van den Berghe 1981).

#### **D. Multicultural Democracy**

The idea of multicultural democracy has risen as a corrective to the individualistic conceptualization of liberal democracy. It also emerged in North America and Europe

as a means to better understand the permanent inferior status of certain ethnic groups and their strong demand of cultural retention, representation and autonomy. More and more theoreticians and advocates of liberalism realize that equality between individuals cannot be achieved without recognizing and granting certain collective rights. Some supporters of liberal democracy presume that it could and should be expanded to include group rights because “the right to be different” is a basic human right, no less important than the right to conformity and civil and political rights (Young 1990).

Multicultural democracy falls somewhere between liberal democracy (of the republican subtype) and consociational democracy. For this reason some, like Kymlicka (1995), portray it as another variant of liberal democracy, while others, like Yonah (1999), present it as a form of consociational democracy. Indeed, multicultural democracy is similar to liberal democracy in several respects. Both base full membership in the state on legal citizenship irrespective of ethnic descent. For both the organizing principle of society is the individual and in both the state does not institute any legal barrier against exogamy and free circulation of people. In both personal inter-mixing is a legitimate and attractive option, producing a variety of hyphenated and hybrid identities and at least some degree of assimilation.

Van den Berghe (1999) stresses that multicultural democracy is appreciably less assimilating and less exclusionary than liberal democracy: “Multicultural democracy, by contrast, seeks to make room for cultural diversity without officializing it. It seeks solutions to the problem of integrating disparate groups into complex, urbanized, post-industrial societies while avoiding both the imposition of an assimilationist model based on a dominant-group definition of what the society should be, and the political expedient of disfranchising and excluding some groups from the polity and the society. It seeks to integrate without either assimilating or officializing cultural differences.”

Multicultural democracy is also different from liberal democracy, and similar to consociational democracy, in other features. Multicultural democracy largely separates the nation from the state and hence makes the idea of “nation-state” unpersuasive and resistible. It is a means of denationalizing the state. As van den Berghe puts it: “Multicultural democracy differs from liberal democracy in that it decouples the concepts of nation and of state, and openly recognizes that the state in question is not ethnically homogeneous.” The nation is multicultural or multiethnic.

The state not only refrains from negating cultural diversity but also treats it favorably. Citizens not belonging to the majority nation and wishing not to assimilate can be equal and can feel fully identified with the state. Minorities are granted minimal collective rights to preserve their cultural heritage and to use their language in schools and other public bodies. The individual's affiliation and allegiance both to the state (as a "super-community") and to particular communities is strong and balanced. The cost of non-assimilation is moderate in multicultural democracy – smaller than in liberal democracy and greater than in consociational democracy. Furthermore, the notion of tolerance in multicultural democracy is grounded on "the agreement to disagree," not on the liberal values of relativism, personal autonomy, critical thinking, the virtue of criticism, openness to new ideas, free expression, the benefit of cross-fertilization, respect for the other, and the right to be wrong.

Multicultural democracy is distinguished from consociational democracy in the degree of legislation of group differences and rights. To quote van den Berghe once again: "Maximalist multicultural democracy can be clearly differentiated from consociational democracy, in that the latter recognizes and institutionalizes *communities* and *collective rights*, thereby almost automatically establishing invidious distinctions between degrees of institutionalization and recognition for various communities, and unleashing a game of recognition-seeking between communities. Maximalist multicultural democracy, on the other hand, can easily stop short of any official recognition of *group* rights." To illustrate, if the law allows prayers in schools, members of different religions have equal right to express their distinct culture without the state recognizing or favoring any specific religion.

Multicultural democracy also differs from consociational democracy in completely lacking or in possessing only seminal forms of consociational mechanisms. It does not have any explicit and binding institutional arrangements of proportional representation, mandatory coalition governments, statutory ethnic autonomy, minority veto rights on vital matters, and avoidance of majoritarian decision-making (the politics of consensus, compromises and non-decisions). These formal rules, which are conducive to endemic disputes, stalemate and mediocrity in consociational democracies, are either absent or embryonic in multicultural democracies. For example, the inclusion of ethnic parties in coalition governments and the participation of minority members in the national power structure are likely legitimate options rather than legal requirements.

Some Western liberal democracies are clearly moving in this direction. Most striking is the Netherlands where non-white citizens from the former colonies are admitted to the society with little discrimination, granted rights to education in their own language, encouraged to keep their culture and identity and assisted in social mobility. The United Kingdom is another case in point. It devolved significant powers to Scotland and Wales. Blacks from the ex-Empire were allowed to enter Britain, their right to family unions and to a separate culture is recognized, and strong laws against racial discrimination are enacted and enforced. Post-apartheid South Africa is probably even a better case of multicultural democracy. While its governing institutions are based on the principle of liberal democracy, the federal state is officially multilingual and multicultural, giving some authority to traditional chiefs, and large minorities have an effective veto power on any amendment to the Constitution. In addition, the first interim government (1994-99) is by law coalitional (including a representative of any political party with 5 per cent or more of the votes in the national elections). New Zealand has drawn even further to multicultural democracy after recognizing the indigenous Maori as a national minority and granting them a full statutory, non-territorial autonomy (Mulgan 1989).

The United States is a rather complex and ambiguous case. Its current Constitution makes it a pure individual liberal democracy. The reality for the big minorities, that is, white ethnics, Asians and Hispanics, is assimilation as individuals into the American mainstream. At the same time, the United States is a republican liberal democracy, a unilingual nation-state, established, shaped and ruled by the WASPs, the gatekeepers of society. Yet the United States is tilting toward multicultural democracy by formally practicing a policy of affirmative action in favor of non-whites and women, popularizing the idea of multiculturalism, granting Native Americans on the reservations certain collective rights and according Spanish-speaking Puerto Rico a commonwealth status. The tolerance shown toward cultural and social separatists from among African-Americans is another sign of multiculturalism.

Growing globalization and the expanding unification of Europe, with the added effect of the legacy of decolonization and galloping international tourism, are transforming Western liberal democracies into multicultural democracies. They move and mix diverse populations and make people keenly aware of their cultural uniqueness. At the same time they draw people together and diminish their

differences. Hyphenation and hybridization of identities, cultural shuttling, bilingualism and biculturalism are some of their products that reinforce multicultural democracy. They also engender the counter-effects of the rising radical right that opposes multiculturalism.

## **7. Types of Quasi- or Non-Democracy**

There are several quasi- or non-democratic regimes that are specifically crafted to tackle deep ethnonational divisions. These are control, Herrenvolk democracy and ethnocracy.

### **A. Control**

Investigating the political system that emerged during the 1960s in the Netherlands for regulating the conflict between Protestants and Catholics, Lijphart did not find liberal democracy applicable, and in response he invented the concept of consociational democracy in order to better account for the system there. Similarly, Lustick studied the division between the Jewish majority and Arab minority in Israel in the 1970s and had an experience reminiscent of Lijphart's: He could not explain Arab acquiescence by liberal or consociational democracy. Instead, he introduced a new model of a political system that he called "control." He set forth control as a general type, spelled out its mechanisms and applied it to Israel.

Control is presented as a general system to obtain political stability in deeply divided societies, constituting an alternative to liberal and consociational democracy (Lustick 1979). The system is based on the principle that one ethnic group takes over the state, imposes its culture on the society, allocates to itself the lion's share of resources and takes various measures to prevent the non-dominant group from organizing politically and threatening to upset the status quo. The control system consists of three interrelated mechanisms: isolation (denying the non-dominant group access to the dominant group and internally dividing and ruling it), economic dependence (making non-dominant members dependent on the dominant group for their livelihood and depriving them of the extra economic surplus necessary for waging continuous political struggle) and cooptation (the capture of non-dominant elites and leaders through partial dispensation of benefits and favors).

The control model was applied to various countries. Different versions of the model were applied to Israel within the pre-1967 borders by Lustick (1980)<sup>7</sup> and by Smootha (1978, 1980a). The model was also applied to Northern Ireland by Smootha (1980b) and to Canada by Cannon (1982) and by McRae (1985).<sup>8</sup>

Control is appropriate to societies where ethnic differences and conflicts are maximal and profound, a situation that cannot be handled, according to Lijphart, by either liberal or consociational democracy. While not advocating it, Lustick maintains that control also serves the non-dominant group by saving it the pains of instability, persecution, violence and bloodshed.<sup>9</sup>

There is no clear relationship, however, between democracy and control. Most examples of control are non-democratic, including colonial states and apartheid South Africa. Lustick himself does not consider control as a stable democratic system, while he tends to regard liberal and consociational democracy as stable. Control is rather a set of mechanisms that can be used by democracies and non-democracies to contain dissident ethnic minorities.

## **B. Herrenvolk Democracy**

Herrenvolk democracy is a democracy for the master race, formally excluding other groups. This model was originally introduced by van den Berghe (1967) and applied first to apartheid South Africa and then to the ante-bellum United States.

van den Berghe's characterization of the United States before the 1960s as Herrenvolk followed de Tocquville's classic analysis of American society, where "tyranny of the majority" prevailed and Blacks were disenfranchised. This is a disputed classification, however, since the exclusion of Blacks was not built into the constitution of the United States but was the result of racist local regulations and practices. Full enfranchisement of Blacks in 1964 did not require a constitutional amendment.

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<sup>7</sup> While in 1980 Lustick argued that the Arab minority was placed under control, toward the end of the 1980s he abandoned this model, claiming that Israel is becoming a de facto binational state in which the Arab minority is playing a deciding role in Israeli politics (Lustick 1987).

<sup>8</sup> The application to Canada was limited to the period from independence in 1867 to the Quiet Revolution of the 1960s. During this time the dominant British majority used the state to make Canada British and to diminish any French power and features.

<sup>9</sup> For a sharp criticism of this view, see McGarry and O'Leary 1993.



On the other hand, van den Berghe's view of South Africa before 1994 as a Herrenvolk democracy is pertinent. Yet he belittled its democratic nature even for Whites and dismissed its ability to undergo peaceful change. In contrast, Adam analyzed South Africa also as a Herrenvolk democracy but stressed its genuine qualities as democracy for Whites. He successfully inferred its capability to peacefully transform itself into a democracy. Adam and Moodley (1993) argue that the new, post-apartheid South Africa stands a much better chance as a stable democracy because it has only to extend an existing democracy to new groups (Asians, Coloureds and Africans), rather than to meet the formidable challenge of building democracy from scratch as is the case for states of Black Africa.

Benvenisti (1987) classifies Israel in its post-1967 borders as a Herrenvolk democracy. He argues that the Palestinians on the West Bank and Gaza Strip were de facto annexed to Israel but are permanently disenfranchised. Jews rule Palestinian citizens and non-citizens and use the state as a vehicle of domination and exclusion. This classification is erroneous because Israel's rule over the West Bank and Gaza Strip is internationally defined as a state of occupation and therefore the extension of political rights to their inhabitants is pointless. More importantly, the non-citizen Palestinians have always fought for liberation and sovereignty, not for becoming Israeli citizens. Hence, the analogy between Israel and South Africa is false.

The cases of Estonia and Latvia are marginal and controversial. These two states won their independence from the Russian empire in 1918 but were reoccupied and incorporated into the Soviet Union during World War Two. When they became independent again in 1991, they had very large Russian-speaking minorities that had mostly arrived after 1940. In order to prevent these national minorities from blocking the project of building a nation-state, Estonia and Latvia invoked a doctrine of legal restorationism (return to the pre-1940 legal situation) to legitimate the denial of citizenship to post-1940 Russian-speaking immigrants and enacted restrictive naturalization laws, resulting in large non-citizen populations. The question whether these states are Herrenvolk democracies or not does not have a simple answer, and I will turn to it below in discussing Estonia.

Although useful as a tool to analyze democracy in deeply divided societies, Herrenvolk democracy is evidently not a democracy. Scholars neither present it as a democracy nor advocate it as a temporary or permanent solution to deeply divided societies.

### **C. Ethnocracy**

Feeling disenchanted with “ethnic democracy” as a model for analyzing Israel, Yiftachel (1997) developed the existing term “ethnocracy” into a counter-model for studying Israel and some deeply divided societies. The main distinction between the two models lies in the nature of the regime: ethnocracy is construed to be a non-democracy while ethnic democracy is conceptualized as a democracy. While Israel serves as a prime example, ethnocracy is also found in contemporary Malaysia, Sri Lanka, Estonia, Latvia and Serbia.

According to Yiftachel:

An ethnocracy is a non-democratic regime which attempts to extend or preserve disproportional ethnic control over a contested multiethnic territory. Ethnocracy develops chiefly when control over territory is challenged, and when a dominant group is powerful enough to determine unilaterally the nature of the state. Ethnocracy is thus an unstable regime, with opposite forces of expansionism and resistance in constant conflict (1999: 367-368).

In ethnocracy, rights are determined by ethnonational descent, not by universal citizenship. The source of legitimacy of the regime is not the citizenry (“the demos”) but rather the dominant ethnic nation. Political boundaries are blurred by the state’s territorial expansion, the involvement of the ethnic Diaspora in state affairs and by exclusionary measures. The founding ethnic group appropriates the state apparatus and administers discriminatory policies toward other groups. A dichotomy separates the two ethno-nations of the settlers and indigenous, although both are at the same time internally divided into ethno-classes. Segregation is pervasive in all areas of life, including the economy, residence, politics and social classes. Three driving forces converge to create and to sustain ethnocracy: settler society, ethnonationalism and the ethnic logic of capital. They combine to discriminate and to exclude as well as to militate against democratization.

Ethnocracy is non-democratic although it exhibits democratic features, like universal suffrage and democratic institutions. For this reason ethnocracy is not a *Herrenvolk* democracy. It maintains “selective openness,” mostly to obtain international legitimacy. It is not a true democracy because it lacks a “democratic structure.” Ethnocracy tends “to breach key democratic tenets, such as equal

citizenship, the existence of a territorial political community (the *demos*), universal suffrage, and protection against the tyranny of the majority” (Yiftachel 1999: 364).

There are several problems with ethnocracy as a model. First, the generality and fitness of the model is dubious. For instance, Estonia and Latvia are not settler societies, in the usual sense that the founding Estonian and Latvian ethno-nations are not settlers. They do not expand territorially and do not have a Diaspora intervening in their internal affairs. It is also hard to see the economic factors underlying the exclusionary policies in these two countries. Although the model is based on the Israeli case, it is doubtful whether it properly applies to Israel.

The model of ethnocracy is too rigid and one-sided. It presents the control of the founding ethno-class as hegemonic and cannot detect processes of erosion in its power and privilege. Protest of non-dominant groups is erroneously seen as ineffective because of the ample ability of the dominant group to contain it. The model is also wrong in seeing lower ethno-classes of the dominant ethno-nation as marginalized, whereas in reality they are quite privileged in comparison to members of the non-dominant ethno-nation.

The main weakness of the model is, however, its over-demanding and unrealistic normative conception of democracy. A regime that is not civic in nature and does not provide full equality to all citizens and ethnic groups is deemed non-democratic. Public and elite commitment to democracy, universal suffrage, fair elections, free media, and full and effective use of means of democratic, non-violent struggle by non-dominant groups, to name just a few of the components of democracy, are treated as trivial and deceptive. This myopic view misses the essence of regimes that are characterized by an inherent contradiction between democratic and non-democratic tendencies but also by incremental change, flexibility and relative stability. These regimes are identified as ethnic democracies and will be discussed in the next chapter.

## **8. Ethnic Democracy as a Model**

There are some democratic regimes that correspond neither to any of the four civic democracies in which the citizen or the citizenry is at the center nor to any of the three quasi- or non-democratic regimes discussed above. The founding rule of these regimes is ethnic – an ethnic nation or group. The name given to this type is “ethnic

democracy.”<sup>10</sup> From the very beginning, this type was constructed as a “diminished type” of democracy, i.e. a mixed and low-grade type of democratic regime that lacks certain democratic elements.

The initial version of the model of ethnic democracy was published for the first time in a book (Smootha 1989) and an article (Smootha 1990, followed by Smootha and Hanf 1992) of mine on Arab-Jewish relations in Israel.<sup>11</sup> The model was elaborated and scattered during the 1990s. An extended theoretical version appeared in 1999 (Smootha 1999). The model was used for a comparative study of several countries (Yiftachel 1993) and for a comparison between Israel and Northern Ireland (Smootha 1997c). It was applied to Estonia and Latvia (G. Smith 1996), Estonia (Järve 2000), and Slovakia (Van Duin and Polackova 2000). Extensive applications of the model to Israel were published (Peled 1993; Smootha 1997c, 2000; Saban 2000), stirring rounds of heated controversies to be referred to below.

### **A. Definition and Delineation**

Ethnic democracy is a democratic political system that combines the extension of civil and political rights to permanent residents who wish to be citizens with the bestowal of a favored status on the majority group. This is democracy that contains the non-democratic institutionalization of dominance of one ethnic group. The founding rule of this regime is an inherent contradiction between two principles –

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<sup>10</sup> I used this name in 1989 without being aware that it was coined originally by Linz in 1975 to refer to a political system that is democratic for the dominant group but excludes, on the basis of ethnicity, other groups from the democratic process. In 1996 Linz and Stepan followed Linz’s original usage and employed the term (Type II, pp. 429-430) to essentially mean “Herrenvolk democracy”, which is a non-democratic system.

<sup>11</sup> In my work on the status of the Arab minority in Israeli society, I explored the type of democracy prevalent in Israel within the pre-1967 borders. Originally I saw Israel as a Herrenvolk democracy vis-à-vis the Arab minority (Smootha 1978). I argued that while the Arabs formally enjoyed all the democratic rights, they were actually placed under control, excluded from the national power structure and their civil rights did not really matter. I concluded that Israeli democracy did not work for the Arabs. My fieldwork soon convinced me, however, that the models of Herrenvolk democracy and control were over-simplifications of a rather complex reality. Contrary to my prior conceptions and to the Herrenvolk democracy and control models, I found the Arabs to be strongly attached to Israel, believing in the effectiveness of Israeli democracy and engaged in a militant struggle for equality and peace without triggering repression on the part of the authorities. There was also ample evidence that by the late 1970s control over the Arabs eroded appreciably.

Conceding that Herrenvolk democracy and control are not appropriate, I was left with liberal and consociational democracy. But both seemed to me far removed from Israeli reality. Despite all the improvements in its treatment of the Arabs, Israel still does not live up to the expectations of these two types of Western civic democracy. Like Lijphart and Lustick, I was forced to distinguish a new type which I called “ethnic democracy.” This model was construed as a generalized or universalized type of the Israeli case.

civil and political rights for all and structural subordination of the minority to the majority. “The democratic principle” provides equality between all citizens and members of society, while “the ethnic principle” establishes explicit ethnic inequality, preference and dominance. The organization of the state on the basis of this structural incompatibility constantly generates ambiguities, contradictions, tensions and conflicts, but not necessarily ethnic and political instability. The state belongs to the majority, not to all of its citizens, and the majority uses the state as a means to advance its national interests and goals. The minority encounters the hard problem of potential disloyalty to the state because it can neither be fully equal in nor fully identified with the state. Yet the democratic framework is real, not a façade. The conferral of citizenship on the minority enables it to conduct an intense struggle for fulfilling its rights and for improving its situation without fearing repression on the part of the state and majority. The state imposes various controls and restrictions on the minority in order to prevent subversion, disorder and instability. As a result, the status quo is preserved but over time the minority experiences a partial betterment of its status.

One should not interpret the central contradiction between democracy and ethnic dominance, being built into ethnic democracy, as a contradiction that arises in all matters. There are matters for which the contradiction is not relevant at all, others in which it takes concrete and striking forms, and yet others in which it is reflected in varying degrees. The expressions of the contradiction also depend on perceptions, interpretations and attitudes of minority and majority, and not just on intractable and objective situations, and they can be shaped by state and public policies.

What is deficient in ethnic democracies as compared to civic democracies? The fundamental deficiency is the lack of civil and political equality because the rights of the minority are inferior to the rights of the majority. The state belongs to the majority and serves it more than the minority. Being identified with the majority, not with its citizens, the state also does not try hard to obtain nor does it actually enjoy the legitimacy, consent and cooperation of all the ethnic groups living in its midst.

Like all diminished types, ethnic democracy is also an incomplete case of democracy. If so, why should ethnic democracy not be regarded as “an extended type of non-democracy,” instead of “a diminished type of democracy”? This is because ethnic democracy shares greater ground with civic democracy than with non-democracy. Ethnic democracy meets the procedural minimum definition of

democracy (civil and political rights for all permanent residents interested in them) and even excels in additional democratic properties: elite and public commitment to democracy and an effective struggle by the minority without state repression.

The type of ethnic democracy broadens and enriches the comparative scheme of political regimes in divided societies but without stretching and obscuring the concept of democracy. It augments the researcher's analytical differentiation by adding a type that diverges significantly from the common types of civic democracies, thereby refining the meaning of "full democracy." It does not stretch and distort the concept of "democracy" because it does not misrepresent itself as an additional case of full democracy but rather as a diminished type only.

## **B. Distinction from Other Types of Political Regimes**

Table 1 presents a comparison of the five types of democracy. The two liberal types are distinguished from the three other types in their non-recognition of cultural differences and denial of collective rights. Consociational democracy provides the minority with maximal recognition, separate institutions, autonomy, proportional representation and equal status. Multicultural democracy recognizes cultural differences and supports groups that organize separately, but does not legislate collective rights and does not extend self-rule and power-sharing. Ethnic democracy is selective in its approach to collective rights, denying collective rights that may empower the minority and reinforce the threat it presents to the majority. It is distinguished from the other four types in being ethnic, not civic. It takes the ethnic nation as the cornerstone of the state, not citizenry. It also differs from the rest on the question of equality. While the four civic types of democracy treat the minority equally, ethnic democracy grants individual and collective rights to the minority but also guarantees preferred status to the majority. Paradoxically, ethnic democracy is similar to republican liberal democracy in having the state side with the majority, whereas in the other three types the state remains neutral.

It can be said, with some simplification, that while liberal democracy conforms to the idea of "equal and not separate," multicultural democracy concurs with the vision of "equal but not so separate" and consociational democracy corresponds to the concept of "separate but equal," ethnic democracy fits the pattern of "separate but not so equal."

**Table 1. Comparison between Types of Democracy**

	<b>Individual Liberal Democracy</b>	<b>Republican Liberal Democracy</b>	<b>Multicultural Democracy</b>	<b>Consociational Democracy</b>	<b>Ethnic Democracy</b>
<b>Procedural Minimum Definition of Democracy</b>	Yes	Yes	Yes	Yes	Yes
<b>State's Character</b>	Collection of citizens	Civic nation- state	Multicultural state	Binational or multi-national state	Ethnic nation-state
<b>Equality of Individual Rights</b>	Yes	Yes	Yes	Yes	To a large extent
<b>Collective Rights</b>	None	None	Yes, but not legislated	Legislated	Legislated
<b>Equality of Collective Rights</b>	Not applicable	Not applicable	Yes	Yes	No
<b>State's Neutrality</b>	Yes	No	Yes	Yes	No
<b>Assimilation Policy</b>	No	Yes	No	No	No
<b>Assimilation Rate</b>	High	High	Medium	Nil	Varies

<b>Mechanisms of Integration and Conflict-Management</b>	Equality of individual rights and opportunities, constitutional patriotism, assimilation	Equality of individual rights and opportunities, formation of a nation-state with cultural homogeneity and value consensus, assimilation	Equality of individual rights and opportunities, formation of a common super-community with recognition and cultivation of group cultural differences, some degree of assimilation	Equality of individual rights and opportunities, agreement over a binational or multi-national state, proportional distribution of resources, extended autonomy, power-sharing, veto power, politics of compromise and consent	Gradual decrease of inequality of individual rights and opportunities, broadening of collective rights, power and resoluteness of the majority, protest and struggle of the minority, control and deterrence of the state
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The table highlights the peculiarity and rationale of ethnic democracy, as evident in its features discussed below.

### C. Features

In order to elucidate the special nature of ethnic democracy, some conceptual clarifications and distinctions are necessary. A “state” is a political juridical entity, whereas a “nation” is a collectivity of people. A “nation” is a population that claims a right to self-determination (to be fulfilled by autonomy or sovereignty) to a certain territory (considered as its homeland). An “ethnic nation” is a nation that in principle consists of a single ethnic group, whereas a “non-ethnic (civic) nation” is a nation that is or in principle can be composed of different ethnic groups. Since ethnic nation has rigid boundaries, it is extremely hard to join or leave it. The ethnic nation is further grounded in a myth of a common descent and a shared collective memory and often also a common language and a common culture. “Ethnic nationalism” (ethnonationalism) is a brand of nationalist ideology or movement claiming that a given group constitutes an ethnic nation (rather than a civic nation), and as such has a right to a certain territory. It usually also presumes that the ethnic nation has a distinct culture and language and certain collective goals to be preserved and promoted. When a preexisting ethnic nation founds a state, it tends to take precedence over the state’s



democratic system and institutions. On the other hand, a preexisting state tends to create a non-ethnic, civic nation.<sup>12</sup>

The following features distinguish ethnic democracy from types of civic democracy and from types of non-democracy. They tend to characterize ethnic democracy but not all are equally essential, their presence may vary from one case to another, and some may even be missing.

1. *The dominant ethnic nationalism determines that there is only one ethnic nation that has an exclusive right to the country.* The point of departure of ethnic democracy is the prevalence of ethnic nationalism that asserts an absolute, exclusive and indivisible right of an “ethnic nation” to a given country. From this assertion stems a dichotomy separating the core ethnic nation from non-core members who originate from other ethnic groups. Ethnic nationalism makes the ethnic nation a center of gravity for the society as a whole – a prime concern, a world interest and a precious asset for most members and leaders of the ethnic nation.

Since ethnic nationalism asserts the ethnic nation’s inalienable right to a separate political entity and an exclusive right to the homeland, it legitimates inequality of status between the core ethnic nation and non-core groups.

The idea of a single core ethnic nation, enshrined in ethnic nationalism, also exists in all types of quasi- and non-democracy – control, Herrenvolk democracy and ethnocracy. It is absent in liberal and multicultural democracies which do not have a core ethnic nation at all, while consociational democracies have more than one (ethnic) nation and hence lack a single ethnic core.

2. *The state separates membership in the single core ethnic nation from citizenship.* The state accepts the claim of ethnic nationalism that the ethnic nation is the single core ethnic nation in the country, hence sharply marking it off from other ethnonational groups. The state tries hard to limit citizenship to members of the core ethnic nation, but citizenship is neither a necessary nor a sufficient condition for inclusion in the core ethnic nation. The core ethnic nation may include citizens and non-citizens, and by the same token the non-core population may also include citizens

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<sup>12</sup> For discussion of the distinction between ethnic and civil nation and features of the ethnic nation, see Smith 1986 and Greenfeld 1992.

and non-citizens. Membership in the core ethnic nation is given, primordial and innate, though it could be achieved by a select few under certain conditions.<sup>13</sup>

The state is primarily entrusted with the care of the core ethnic nation and only secondarily with the care of its non-core citizens. It is concerned with the preservation of the core ethnic nation and its members, even if they are non-citizens living permanently in the Diaspora. It may allow, encourage, or discourage the assimilation of non-core groups but always takes measures to prevent the assimilation, depopulation and decline of the core ethnic nation.

The difference between the various types on this point is clear. While in ethnic democracy the state primarily serves the single core ethnic nation and only secondarily all its citizens, in individual liberal democracy the state serves the individual citizen and in republican liberal democracy it caters to all its citizens who by definition constitute its non-ethnic, civic nation. In the same vein, ethnic democracy differs from multicultural and consociational democracies, which treat all their citizens equally, including the members of their different constituent ethnic groups and nations. On the other hand, ethnic democracy considers the needs and interests of its citizens, while the various types of quasi- or non-democracy cater only to the members of the core ethnic nation and grossly disregard non-core citizens and non-citizens.

In order to further clarify the first two features of ethnic democracy, let me illustrate their manifestations in civic democracies. Every state has an ethnic core that reflects the ethnic stock, language and culture of its population, majority, or charter (founding) group. For instance, the ethnic core of the United States is white, English-speaking, Christian and western, mirroring its Anglo-Saxon founding group. For centuries this ethnic core was preserved by the depopulation of Native Americans, an immigration policy in favor of white Europeans, the denial of full political citizenship to African-Americans and other measures. Notwithstanding this ethnic core, the United States should not be considered an ethnic democracy because it lacks ethnic nationalism, has not institutionalized an ethnic nation, has not declared itself as the homeland of whites, WASPs or Christians, but rather has formed a multiethnic nation

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<sup>13</sup> For instance, the standard way to join the Jewish people is through religious conversion. On the other hand, it is not clear how to join the German ethnic nation since it is not enough to acquire the German language and culture and to be a resident citizen in Germany. Intermarriage and blood ties are no doubt a step forward.

that includes all citizens by birth or naturalization. It has become even more civic and even multicultural following the enfranchisement of the Blacks, the liberalization of immigration policy and the growing acceptance of multiculturalism since the mid-sixties.

3. *The state is owned and ruled by the core ethnic nation.* It is the core ethnic nation that possesses and controls the state, not its citizens. The state is the embodiment of the core ethnic nation's right to national self-determination, the state territory is the exclusive homeland of the core ethnic nation and the state apparatus is a tool at the disposal of the core ethnic nation to promote its collective goals and the security, welfare and success of its members. The state's official language, religion, culture, institutions, flag, anthem, emblems, stamps, calendar, names of places, heroes, days and sites of collective commemoration, laws (especially those regulating naturalization, immigration and ownership of land and businesses) and policies are biased in favor of the core ethnic nation, and members of the core ethnic nation expect and receive a favored status.

Ethnic democracy creates an ethnic stratification of citizenship. Members of the core ethnic nation are first-class citizens and only they have the option to define and contribute to the common good. The select few among them who make exceptional effort and contribute get the special privileges of "good citizens," while the rest remain rank and file members. On the other hand, non-core members can hardly qualify as "good citizens," i.e. they are entitled to take part in determining the common good (national goals and policies) but cannot enjoy the special rewards given for excellence in contributing to the public good.<sup>14</sup>

The state in ethnic democracy is expressly on the side of the core ethnic nation, not operating as an impartial body, a fair broker, or an agreed upon arbiter for the population groups. In this respect, the state in ethnic democracy is similar to the state in non-democratic regimes. In ethnic democracy there is also no broad, shared and agreed upon civic infrastructure that contains language, culture and identity. Such an infrastructure is present in republican liberal democracy although here, too, the nation-state is not neutral but rather identified with the majority group. In contrast, the state in individual liberal democracy, multicultural democracy and consociational

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<sup>14</sup> For a general statement of this point and an application to Israel, see Peled 1992; Peled and Shafir 1996.

democracy is in principle an impartial and autonomous organization, neutral to the groups in conflict, and attempting to administer its affairs in a fair manner, to mediate and to find mutually acceptable compromises.

4. *The state mobilizes the core ethnic nation.* The state fosters the national identity of the members of the core ethnic nation in order to ensure against their apathy and assimilation. But beyond this minimal fundamental goal, the cultivation of an exclusionary national identity and the provision of preferential treatment of core ethnic nation members aim to obtain their full consent, legitimacy, identification, support, participation and sacrifice for national projects. The concrete state undertakings vary but the grand design is the continued construction or reconstruction of the core ethnic nation (ethnic nation-building) or a nation-state building, and defense against a perceived or real threat. Members of the core ethnic nation are called upon to contribute to and to make personal sacrifices for national interests and they are rewarded by special privileges.

Since mobilization of the masses by the state is the characteristic of ideological societies, ethnic democracies are ideological states with relatively weak civic societies and vulnerable private domains. In this sense they resemble Herrenvolk democracies and differ markedly from civic democracies in which civic society and the private domain are broad and strong, national ideology is not obliging and mass mobilization is infrequent (usually occurs during wartime).

5. *The state grants non-core groups incomplete individual and collective rights.* Ethnic democracy qualifies as a democracy because it meets the standard criterion of extending rights to the entire permanent population, including non-core groups. Certain rights might be either missing or not fully given. Four kinds of individual rights are granted: human rights (such as dignity, physical safety and equality), social rights (including entitlement to housing, health, employment, income and education), civil liberties (including freedom of assembly and association, freedom of the press and independent judiciary) and political rights (including the right to vote and to stand for election, a multi-party system, change of governments through fair elections and lack of military or foreign intervention in the political process). In addition, since non-core groups are recognized by the state as distinct and separate groups, they are endowed with some collective rights. They are usually allowed to use their language and to hold separate religious institutions, schools and cultural organizations and activities.

The state in ethnic democracy sees political rights as an extremely pivotal privilege and practices a policy of restricting them as much as possible to core ethnic members. It extends, however, political rights to permanent residents and allows non-core immigrants to naturalize under strict conditions due to the core nation's commitment to democracy, international pressures, or other pragmatic reasons. Extension of political rights for all distinguishes ethnic democracy from non-democracy.<sup>15</sup>

On the one hand, ethnic democracy is inferior to civic democracies because full equality is by definition lacking and the core ethnic nation and its members enjoy superior status and rights. Whereas *individual* rights (including political ones) are equal for all in individual-liberal, republican-liberal, multicultural and consociational democracies, they are somewhat deficient in ethnic democracy. The individual rights of non-core members are limited to some extent and usually less protected. For instance, their right to purchase land may be subject to various restrictions.

In contrast, with regard to collective rights, ethnic democracy is superior to individual-liberal democracy and republican-liberal democracy which in principle do not recognize any group right. The collective rights accorded in ethnic democracy are more extensive than in multicultural democracy but inferior to the full and equal group rights granted by consociational democracy. Unlike the binational nature of the state in consociational democracy, the state in ethnic democracy is uninational. It does not recognize the *national* rights of non-core groups, i.e. they are not accepted as national minorities with a representative leadership, entitlement to a proportional share of state resources (appointments, budgets), power-sharing, autonomy and a veto power on crucial decisions. Restrictions are also put on the expression of the national identity of non-core groups. For example, there are restrictions on the public display of identification with the external homeland and on school curricula of the national history and literature.

6. *The state allows non-core groups to conduct parliamentary and extra-parliamentary struggle for change.* Another democratic dimension of ethnic democracy is the availability and legitimacy of standard avenues of protest and

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<sup>15</sup> On the other hand, G. Smith (1996) extends the original formulation of the ethnic democracy model by making it applicable to cases like Estonia and Latvia, in which full political rights (citizenship and voting for parliament) are denied to most minority members but kept open for acquisition.

struggle for change for use by non-core groups. They are allowed to use the vote, petitions, mass media, courts, political pressures, interest groups, lobbies, demonstrations, strikes, sit-ins and other legal means to advance their status without having to face repression by the state and violence by the core ethnic nation.

On this score ethnic democracy is far superior to quasi- or sham democracies where the fundamental right to protest and dissent is not respected. But in ethnic democracies this right, among others, is more restricted for non-core groups than in civic democracies.

7. *The state perceives the non-core groups as a threat.* The state and the core ethnic nation perceive the non-core groups as a threat. The threat may vary considerably in nature (real or apparent) and contents. Threats may include demographic increase and preponderance (swamping), excessive accumulation of political power, unfair economic competition, downgrading of the national culture, dilution of the “pure ethnic stock,” a national security risk, loyalty to an external homeland, subversion, unrest and instability.

Perceived or real threats are widespread in all types of democracy, but only in ethnic democracy and quasi- or non-democracies are they an integral part of the system, enduring and obsessive.

8. *The state imposes some control on-core groups.* Since members of non-core groups suffer from personal and institutional discrimination, cannot enjoy full equality and cannot completely identify themselves with the state, their loyalty is considered problematic. They are also perceived as a threat to the order and stability of society. Moreover, their protest and struggle are feared of leading to escalating demands and to illegal actions and violence. Even if the historical record shows that they are by and large law-abiding people, their disloyalty potential is assessed to be significant, and occasional incidents of law violation on their part reinforce suspicion and apprehension. For this reason non-core groups in ethnic democracy are targets of the security forces. Their participation in the security apparatus, access to sensitive information and recruitment to posts of trust are restricted. They are watched by state agencies and the activities of their activists and leaders are monitored. Restrictions are also imposed from time to time on their protest lest it deteriorates to unrest and violence.

Control is commonly used in civic democracies against individuals and selected action-groups with high risk to the regime and to law and order, but in ethnic

democracy and quasi- and non-democracies control is also applied as a rule over non-core groups as such, not just over particular members from among them. Average non-core members in diminished democracies and non-democracies are much more likely to get the attention and harassment of the security forces than average core members.

Each of the above features of ethnic democracy readily distinguishes it from the existing political systems: civic democracies and quasi- or non-democracies. Ethnic democracy is not liberal because it is overwhelmed by excessive ethnic nationalism, it sharply distinguishes between members of the core and non-core ethnic nation, officially recognizes ethnic differences and extends group rights, puts the ethnic nation above citizenry and state, provides the core ethnic nation with institutionalized power and privilege and places the non-core groups under control.

The comparison with multicultural democracy is rather complex. On the one hand, ethnic democracy is less democratic than multicultural democracy for non-core members concerning equality of individual rights and inclusion into society. On the other, it is more democratic in giving more extensive and legalized collective rights to non-core groups.

Although ethnic democracy makes concessions to the non-core groups, it is not consociational because the state is by definition appropriated and ruled by the core ethnic nation, and the non-core groups are deprived of full rights, equal status, proportional representation, veto power and politics of compromise and non-decision. The non-core groups remain on the receiving end and must constantly be on the guard to ensure their due rights and entitlements.

Ethnic democracy differs from control as a type of regime in being clearly democratic, while in most cases control is not democratic. Whereas in the regime of control, ethnic dominance takes precedence over democratic rules, in ethnic democracy the democratic and ethnic principles compete with each other, but neither has a clear upper hand. Yet a mechanism, not a regime, of control is a necessary component of ethnic democracy. A certain degree of political and economic regulation of the non-core groups is essential for keeping ethnic dominance. Unlike control as a type of regime, control in ethnic democracy operates as a subtle, manipulative, selective and hidden mechanism in deterring and restraining dissidents and suspected troublemakers from among the minority.

Ethnic democracy differs from ethnocracy in being more truly democratic and in producing real dilemmas as a result of clashes between democracy and structured ethnic dominance. It provides the non-core groups with more political participation, influence, and improvement of status than ethnocracy supposedly does.

Being a democracy for all, ethnic democracy is not a Herrenvolk democracy which is by definition a democracy officially limited to the core ethnic nation only.

#### **D. Factors Conducive to Emergence**

The following factors are conducive to the emergence of ethnic democracy:

1. *Ethnic dominance precedes emergence of democracy.* Democratizing ethnic states, in which the core ethnic nation has enjoyed institutionalized supremacy long before the introduction of democracy, are highly susceptible to ethnic democracy because it provides some continuity with the past. Instead of renouncing their traditional, structured dominance, core ethnic nations can make the new democracy serve them in a form of ethnic democracy. Ethnic democracy moderates the process of democratization.

2. *Ethnic nationalism precedes emergence of democracy.* If a movement or ideology of ethnic nationalism precedes the existence of the state, there is a strong tendency that the new state will be ethnic or will adopt ethnic democracy as its regime. This is because the ultimate end of ethnic nationalism is advancement of the ethnic nation, neither quality of the regime, nor civil equality, nor justice. Ethnic democracy emerges where the ethnic nation rose prior to the formation of the state and founded the state to ensure its survival, well-being and interests. On the other hand, civic democracies rise where the state preceded the nation and created the civic nation as an instrument of societal solidarity and integration and as a tool of a state capitalist economy.

These two factors indicate that high appreciation of the ethnic nation is a strong push for establishing ethnic democracy. For historical reasons, they prevail more in Central Eastern Europe than in the West (A. Smith 1986, 1998). The predisposition in Central Eastern Europe to ethnic democracy is related to its historical development: ethnic nationalism and ethnic nations preceded the proclamation of independent states, and democratization took place in states in which ethnic dominance had been consolidated. On the other hand, the states in the West are older and they created nationalism and built civic-territorial nations.



3. *Real threat that requires continuous and broad mobilization.* When a danger is posed to the physical, demographic, cultural, or economic existence and well-being of the ethnic nation and prolonged and mass mobilization of members of the ethnic nation is needed to secure its survival, there is a tendency to use the ethnic nation as an effective means of mobilization to contain the threat. In other words, when the nation lives in a hostile environment and the minority constitutes part of this environment, the state may shape its regime according to patterns of ethnic democracy to be able to cope successfully with the external and internal threat. Grave concern with national security generates and propels ethnic democracy.

4. *Commitment to democracy.* The ethnic nation has an ideological or pragmatic commitment to democracy. This commitment is not absolute but rather competes with other superior values or needs, including the promotion of the ethnic nation and containment of the threat directed against it. Ethnic democracy is a compromise between these conflicting values. Lack of commitment to democracy is liable to engender quasi- or non-democracy.

## **E. Conditions of Stability**

The conditions that sustain ethnic democracy are numerous. None is either necessary or sufficient. Some of them are:

1. *The core ethnic nation constitutes a solid numerical majority.* When the core ethnic nation constitutes a demographic majority, it can rule democratically on its own without the necessary political support and legitimacy of the non-core groups (“the tyranny of the majority”). Lijphart lists this condition as inimical to stable consociational democracy but precisely for this reason it serves ethnic democracy well. The larger and more united the majority (over 80 per cent), the greater the chances of ethnic democracy to survive and keep stability.

2. *The non-core population constitutes a significant minority.* Minorities numbering from 10 to 20 per cent of the total population are significant. It is sometimes possible to disregard or repress, with a bearable cost, a minority of under one-tenth. On the other hand, a minority of over one-quarter is too large to be included in an ethnic democracy because it can use its numerical and electoral strength to undermine the majority’s dominative system. When the minority is too small or very easy to manage, ethnic democracy is not necessary or may be concealed as a liberal democracy.

These figures are estimates which may vary from one situation to another depending on other factors. For example, a self-conscious and well-organized minority may definitely be significant even though its share of the total population is under one-tenth, while a minority of over one-quarter that lacks strong political consciousness and organization may be insignificant. To achieve stability where non-core minorities are sizeable and mobilized, ethnic democracies are predisposed to deny full political rights to as many non-core members as possible.

3. *The core ethnic nation has a commitment to democracy.* Without the core ethnic nation's commitment to democracy, ethnic democracy will degenerate into a non-democracy. The commitment may be either ideological, or due to expediency or necessity (e.g., international pressure). Since the core ethnic nation also wishes to keep its control of the state and to preserve its favored status, it reluctantly turns to ethnic democracy as a pragmatic solution to its contradictory interests.

4. *The core ethnic nation is an indigenous group.* An indigenous status, whether firmly grounded in centuries-old residence in the homeland or anchored in historical rights of a returning Diaspora, may serve as a basis for validating superior claims by the core ethnic nation.<sup>16</sup>

5. *The non-core groups are immigrant.* Since immigrant groups, even with a seniority of several generations, have fewer claims to their new homeland and to the state than native groups, it is easier to restrict their rights and to subject them to ethnic democracy than indigenous non-core groups.

6. *The non-core population is divided into more than one ethnic group.* Ethnic conflict is more intense in societies which are bi-ethnic, i.e. they are divided between the core ethnic nation and one big non-core group. It is easier to control a number of small minorities than one substantial minority.

7. *The core ethnic nation has a sizeable, supportive Diaspora.* The need to protect and to repatriate the Diaspora can become a sufficient ground, in the eyes of the core ethnic nation, to prefer the Diaspora to the non-core inhabitants. This view facilitates the establishment of an ethnic democracy.

8. *The nature of involvement of the external homeland.* The chances of ethnic democracy to achieve stability would be better if the external homeland (the country

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<sup>16</sup> Points 4-6 are made forcefully by Yiftachel (1993), who draws on others.

of the nation to which the non-core population belongs) does not intervene on behalf of the minority or does not take actions to subvert ethnic democracy.

9. *The nature of the international involvement.* If the international community gives legitimacy to the particular system of ethnic democracy or refrains from delegitimization of this system and from interceding on behalf of the minority, the chances of the regime to be stable are improved. The international community intervenes in cases of gross infractions of human rights or denial of individual political rights (disenfranchisement), but increasingly also when minority rights are blatantly violated, or following intervention by the external homeland that may destabilize the global state system.

These conditions are not meant to be a list of generalizations, each of which to be tested separately. The listing aims, rather, to inform and to sensitize historical and comparative studies of some of the factors that are worth examining in order to understand the development and sustainability of ethnic democracies.

## **F. Mini-Model**

The following is a condensed version that captures the essential elements of the model of ethnic democracy.

### *Features*

1. *Ethnic ascendancy.* The central idea of ethnic democracy is the existence of an ideology or a movement of ethnic nationalism that declares a certain population as an ethnic nation sharing a common descent (blood ties), a common language, and a common culture. This ethnic nation owns a certain territory that is considered as its exclusive homeland. It also owns a state in which it exercises its right to self-determination. The ethnic nation, not the citizenry, shapes the symbols, laws and policies of the state for the benefit of the majority. This ideology makes a crucial distinction between members and non-members of the ethnic nation. Non-members are the others, some kind of outsiders, less desirable persons that cannot be full members of the society and state. Citizenship is separate from nationality, neither a necessary nor a sufficient condition for membership in the ethnic nation.
2. *Perceived threat.* Non-members of the ethnic nation are not only considered less desirable but are also perceived as a serious threat to the survival and

integrity of the ethnic nation. The threat can be one of a combination of biological dilution, demographic swamping, cultural downgrading, security danger, subversion and political instability. All kinds of restrictions and controls are imposed to contain the minority's threat potential.

3. *Diminished type of democracy.* Democracy is the political system prevailing in the state. All permanent residents who so wish are granted citizenship, including human, social, civil, and political rights. Minority citizens are allowed to conduct an intense struggle for equal rights without facing state repression. They are also permitted to join coalitions with majority groups and are granted autonomy with certain limits. Democracy is, however, diminished by the lack of equality of rights. Non-members of the ethnic nation enjoy incomplete rights and are discriminated against by the state. The state measures to prevent them from realizing their perceived threat potential compromise rule of law and quality of democracy. Democracy is constituted and functions as "a defensive democracy," a political system designed to deter and to outlaw highly threatening groups. Considerations of national survival and security predominate.

Ethnic democracy meets the procedural minimum definition of democracy, but in quality falls short of the civil types of democracy prevalent in the West. It is a diminished type of democracy because it suffers from an inherent contradiction between ethnic ascendancy and civil equality. The state is geared to privilege the majority and to advance its interests rather than to serve all its citizens equally. The minority cannot fully identify itself with the state, cannot be completely equal to the majority and cannot confer full legitimacy on the state.

#### *Factors Conducive to Emergence*

1. Ethnic nation precedes the ethnic state. The relatively older ethnic nation creates and shapes the relatively new state. Hence the ethnic nation is superior to the state.
2. The ethnic nation experiences a threat.
3. The majority is committed to democracy for ideological or practical reasons.
4. The small or manageable size of the minority allows the majority to maintain both democracy and to keep ethnic ascendancy.

A combination of these factors encourages the rise of an ethnic democracy rather than either a form of civil democracy or non-democracy.

#### *Conditions of Stability*

1. A clear and continued numerical and political majority of the ethnic nation.
2. A continued threat perceived by the majority.
3. Non-interference of the “external homeland,” i.e. the foreign state to which the minority belongs nationally and which it regards as an ethnic patron.
4. Non-intervention or even extension of legitimacy and support by the international community (foreign states and NGOs engaged in the protection of human and minority rights).

#### **G. Subtypes**

It is possible to discern three subtypes of ethnic democracy according to their location on the consociational – Herrenvolk democracy continuum.

1. *Standard ethnic democracy*. This is the subtype that is presented above. It is located in the middle between consociational and Herrenvolk democracy.

2. *Hardline ethnic democracy*. This subtype draws near Herrenvolk democracy. Very limited individual and collective rights are granted to the non-core citizens, the freedom to conduct parliamentary and extra-parliamentary struggle is quite restricted, the minority’s threat is perceived as grave and immediate, and the control exercised by the authorities is strict and comprehensive. In addition, non-core citizenship is weak but not absent as in Herrenvolk democracy.

3. *Improved ethnic democracy*. This subtype approaches consociational democracy. Equal and common civility is expanded and strengthened. The non-core minority is accorded broad individual and collective rights, including institutional autonomy and some political representation. The minority’s protest and struggle for equality are intense and meet with some understanding, goodwill, willingness to talk and to negotiate, and actual significant concessions. The threat posed by the minority is perceived as potential and significant, but neither clear nor immediate. Control is also no longer comprehensive, but rather selective and appropriate. Non-core citizenship is real but devoid of full equality of individual and minority rights.

All these upgraded features are only buds, not mechanisms, of consociational democracy. Despite all the headway made in comparison to the standard version,

improved ethnic democracy remains without full power-sharing, without a system of proportional allocation of resources, without full ethnonational autonomy, without a routine of negotiation and compromise as a rationale of the regime, and without a veto power.

## **H. Issues**

The model of ethnic democracy raises three fundamental issues: legitimacy, stability and efficiency. It is argued that democrats, be they scholars, libertarians, or members of non-core groups, cannot accept ethnic democracy as legitimate because it is not a real or good democracy. Endemic instability is another basic flaw attributed to ethnic democracy. Because of its alleged illegitimacy and instability, ethnic democracy is deemed to be an ineffective mode of ethnic regulation. Let me take up these objections one by one.

1. *Lack of legitimacy.* Many object to and feel annoyed by the very term “ethnic democracy” because it is allegedly not a genuine democracy. It is assumed that any system that does not intend to provide complete equality and full rights to the entire citizenry is not a democracy. The disqualification of ethnic democracy is not due to actual inequality, discrimination and restriction of rights, a widespread phenomenon in all types of democracy, but rather due to the assumption that equality in ethnic democracy is impossible and the state is inherently unfair. It is further argued that ethnic democracy and Herrenvolk democracy are equally non-democratic because they share hegemonic control and tyranny of the majority. They differ in tactics only: when the minority is small and manageable, the majority uses ethnic democracy, but when the minority is too large or unruly, the majority is forced to resort to outright Herrenvolk democracy. Ethnic democracy is always preferable due to its democratic façade, and it is retained only as long as the majority is able to exercise its hegemony.

These arguments are maintained by several critics. Neuberger’s criticism is typical of mainstream liberal scholars. He holds that ethnic democracy is not democracy because according to the procedural minimum definition, stated by Zakaria (1997), in a democratic regime all citizens can enjoy full rights, and the equality of rights they enjoy does not stand in contradiction with any hierarchical principle – two basic requirements that are not met by ethnic democracy. With regard to the compromise between the democratic regime and the ethnic state inherent in ethnic democracy, Neuberger says:

If this is a compromise, then this is no longer ‘an additional type of democracy’. This is a compromise between democracy and something else, something in between, a semi-democracy (Neuberger 1999: 107).

If the contradiction between democratic rights and ethnic dominance is so substantive, then the regime is not democratic. Neuberger is aware of the flaws in existing democratic regimes, but he considers them as non-substantive, corrigible deviations. He prefers to call these regimes “democracies with stains”:

The concept of ethnic democracy gives legitimacy to any offence against democracy, while the concept ‘democracy with stains’ implies that there are stains but these are stains of democracy, deviations from the liberal democratic model (*ibid*).

According to Neuberger, any democracy can improve by making a constant effort of cleansing itself of its stains.

Ghanem, Rouhana and Yiftachel (1999) level similar criticism, but their point of departure is a more comprehensive and demanding definition of democracy. They demand that democracy should meet the necessary condition of full equality of rights both on the individual level and on the ethnic group level. In their opinion, ethnic democracy is disqualified because according to its very definition, it is impossible that minority rights are equal to majority rights. Instead of ethnic democracy, they propose the terms “ethnic state” or “ethnocracy” in order to stress the non-democratic character of the regime. They are convinced that the only type of regime appropriate to a divided society is consociational democracy.

According to another criticism related to the issue of legitimacy, ethnic democracy is a normative model, as any model of democracy is. As such, it gives legitimacy to this flawed ethnic regime by defining it as a democracy and by presenting it to democratizing states as a model for emulation. In other words, it is argued that by distinguishing ethnic democracy as a separate type, calling it a democracy, putting it at the same level as a liberal, multicultural and consociational democracy, and by showing various cases as fitting the model, ethnic democracy implicitly receives a legitimacy it does not deserve.

These critical points are made by a few social critics. Yonah (1999) condemns ethnic democracy for serving primarily not as a scientific analytical device, but rather as a disguised tool for legitimizing a bad system of quasi-democratic and hegemonic

control. In the opinion of Bishara (1996), this model, although it meets the procedural minimum definition of democracy and fits well the reality in certain countries, including Israel, is “dangerous” because “it perpetuates the reality instead of criticizing it” (Bishara 1999: 113). Ethnic democracy should rather be singled out as a sham democracy, in need of replacement by another true type of civic democracy. The delineation of the model as a legitimate democratic type is actually an act of publicity and promotion, making ethnic democracy available and exportable to states in process of democratization, instead of encouraging them to adopt an existing, genuine, civic type of democracy. The investigator should formulate models critically to further social change and improve the quality of democracy. Bishara proposes the model of multicultural democracy as a critical and even revolutionary model for Israel.

In response to these objections, let us recall that democracy is not an all-or-nothing category but rather a continuum on which full democracy and full non-democracy are two poles. The transition on the scale, as in any other concept, from democracy to non-democracy is hard to pinpoint. The procedural minimum definition is set to mark off the crossing of a threshold to democracy. The requirement of democratic inclusiveness set forth by Dahl (1971) is met by ethnic democracy, which extends civil and political rights to the entire permanent population, including the non-core groups. Also satisfied are the demands for the possibility to conduct a legal struggle and the likelihood to affect change. In other words, it is not the philosophical principle of absolute equality which should be the decisive consideration but rather the concrete implementation of rights, the openness for protest and struggle, and the amenability of the system for significant change. As in many other cases, whether a given system is an ethnic democracy or actually a *Herrenvolk* democracy is an empirical question on which judgments can expectably and legitimately differ.

Neuberger’s criticism is puzzling because according to the procedural minimum definition that he adopts, there is no explicit demand for equality of rights nor an express requirement of lack of inherent contradiction between principles. His suggestion to use the term “(liberal) democracy with stains” in lieu of ethnic democracy should be rejected because the former is not a liberal democracy with a correctable deviation but rather a different type of democratic regime. Ethnic democracy is not a civic democracy because it puts members of the ethnic nation at the center and grants them priority over the citizenry.



The criticism of Ghanem, Rouhana and Yiftachel (1999) should also be rejected because it is based on an over-demanding conception of democracy. Their definition calls for equality of individual and group rights, which is missing in ethnic democracy. Yet individual-liberal democracy and republican-liberal democracy, starrang in most western countries, also do not meet this high requirement because they formally deny group rights to all, although informally the nation-state is shaped by the standards, needs and desires of the majority group. One wonders why these critics do not reject these two types of liberal democracy. After all, with all its shortcomings, ethnic democracy is superior to liberal types of democracy in according recognition and certain collective rights to non-assimilating minorities.

As to the criticism that ethnic democracy is a disguised, counterproductive, normative model, it must be emphasized that it is designed as a strictly scientific model. Historically the model of ethnic democracy was formulated to overcome the inability to satisfactorily classify some political systems rather than to rationalize a certain regime (for example Israel, Northern Ireland). The primary use of the model is scientific. Without ethnic democracy as a distinct type, some political systems would erroneously be classified as *Herrenvolk*, consociational, multicultural, or liberal.

Admittedly, there is no way, nonetheless, to avoid ascribing a normative component to ethnic democracy as to any scientific model. Yet, the conceptual distinction between existence and quality of democracy makes it possible to make a value judgment on ethnic democracy. One can reject ethnic democracy as a sore evil even if it is classified as a type of democracy, as *Herrenvolk* democracy is not considered democracy despite its deceptive name. The question is, however, not only semantic and normative, but also substantive. Underlying the term ethnic democracy is a scientific and normative assumption that ethnic democracy is indeed democracy in spite of its low quality. It is true that some legitimacy is bestowed on ethnic democracy by its very definition as democracy, but as long as it meets the requirements of democracy, it deserves the credit.

The equation of ethnic democracy with *Herrenvolk* democracy does not only entangle right and wrong but also negates the scientific merit of ethnic democracy. Suppose ethnic democracy, like *Herrenvolk* democracy, is not democracy. In this case it would not have been problematic or full of internal contradictions on the one hand, and would not allow ethnic minorities to come to terms with it and the international community to recognize it, on the other. The thrust of ethnic democracy is the

fundamental contradiction and the unrelenting tension between the principle of rights for all and the principle of institutionalized ethnic dominance, that are interwoven in it and engendering ambiguities, uncertainties and confusion in the political system. This structural duality is missing in Herrenvolk democracy because it is not a democracy and not pretending to be so. The extension of citizenship and political rights to ethnic minorities, even with an intention to control and exclude them, creates an unintended dynamics of democratization that is absent in Herrenvolk democracy. Enfranchised minorities in nominal democracies can employ democratic procedures to implement their rights and to improve their status. Critics posit the untenable presupposition that political citizenship is meaningless in non-authoritarian or democratic regimes.

It is possible to use ethnic democracy, like other scientific concepts, both to justify and to censure it. Critics should equally benefit from the sketch of a distinct type of ethnic democracy. A widely recognized distinct type is a more convenient target for attacks because of its low quality and other failings. It is also easier to use it as a bad example that democratizing states are warned against considering and adopting.

The criticism against the low quality of ethnic democracy should, however, be put in proportion. It must be viewed against the classical types of liberal democracy that deny collective rights to minorities, do not grant them the necessary institutional arrangements for self-preservation and produce high rates of assimilation. Non-assimilating minorities who cherish their separate existence are forced to endure the heavy pressures of assimilation that characterize liberal democracies, while they do not face this problem in ethnic democracies.

There might be an important implication of the stand on the legitimacy of ethnic democracy for conflict-management. Critics that condemn ethnic democracy as a non-democracy declare the regime as illegitimate and the peaceful means to transform it as futile. They *ipso facto* justify the use of non-democratic measures and even violence to undermine such a regime (Gavison 1999). This call for radical politics can be condoned if critics are definitely certain that the regime is non-democratic and should be fought with all means necessary. Yet, ethnic democracy should be given the benefit of the doubt thanks to its selected democratic features.<sup>17</sup>

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<sup>17</sup> Ethnic democracy is apparently compatible with both the *European Charter for Regional or Minority Languages* (1991) and the *Framework Convention for the Protection of National Minorities* (1995) of the Council of Europe. This can be deduced from the fact that almost all states in Central Eastern Europe signed these agreements and some of them are or are becoming ethnic

2. *Instability*. Ethnic democracy is criticized as a regime that is not and cannot be stable because of its built-in contradictions. It will either be downgraded to authoritarian control or upgraded to consociational democracy, but it cannot remain as it is over an extended period of time.

The sources of instability are varied. The state promises equality to the minority but provides only partial equality. The minority is granted citizenship but is treated as a threat and sometimes even as an enemy. The minority cannot be equal and cannot be identified with a state that is not considered as its own. A permanent source of instability is the denial of legitimacy by the non-core groups. The state does not even make a serious effort to secure their consent and moral endorsement. Another important cause for the endemic instability is the inability of the system to satisfy the basic human needs of respect, belonging, identity and equality of non-core members (Rouhana and Ghanem 1998; Rouhana 1997). Moreover, many problems of the non-core groups are left unattended, breeding widespread distress and disaffection.

Yiftachel (1993) argues that ethnic democracy prevails under adverse circumstances, such as substantial cultural diversity, deep disputes and two indigenous groups vying for control. As a long-term model, it can be viable in states where the non-core groups are immigrant and the core ethnic nation faces more than one non-core group, but this situation is rare. Yiftachel concludes that “when the ethnic democracy model was implemented in bi-ethnic homeland states (Type 1), such as Northern Ireland, Cyprus and Sri Lanka, minority grievances were mobilized to break down social and political orders effectively;” “long-term political (democratic) stability has been achieved in bi-ethnic-homeland states (Type 1) only when consociational policies have been put to practice, as exemplified by the cases of Belgium and Switzerland” (Yiftachel 1993: 129).

In response to these objections, it must be emphasized that ethnic democracy does indeed suffer from a certain degree of instability, but this is the fate of all democracies in deeply divided societies. The scale of diversity and discord in these societies is beyond the capability of any democratic regime to manage. Consociational democracy is not a panacea and has not proven itself stable even at the medium conflict level of Canada and Belgium.

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democracies. Slovakia and Estonia, for instance, are not called to amend the preamble to their constitutions that declare them as ethnic democracies.

On the other hand, one should not underestimate the viability of ethnic democracy. Its stability is a function of the conditions detailed above, resulting in disintegration when they weaken or disappear. The destabilizing factors are counterbalanced by stabilizing forces. Ethnic democracy has a leeway and flexibility of acquiring stability by making concessions to minority groups. It is also buttressed by strong support, high legitimacy and determination of the core ethnic nation. The ambiguity and flexibility of the system encourage compliance and pragmatism among non-core groups. The possibility given to them to conduct a struggle and to score partial gains soft-pedals radicalism. The sharp asymmetry of power between core and non-core groups serves as an effective deterrence. The machinery of control also deters and stifles opposition.

3. *Inefficiency.* The efficiency of ethnic democracy as a regime for managing and reducing internal conflicts is questioned. Critics argue that this model is inefficient because it is neither legitimate nor stable.

In addressing this objection, it is worth repeating that ethnic democracy can moderate intergroup conflicts. It can shift from the hardline subtype to the standard subtype and even to the improved subtype. In all its subtypes, ethnic democracy is a better option than non-democratic ways, such as genocide, population transfer and domination, to settle deep differences between ethnonational groups. On the other hand, ethnic democracy regulates the conflict between majority and minority but leaves intact the deep cleavage and the fundamental dispute.

## **9. Cases of Ethnic Democracy**

In order to further illustrate the relevance of ethnic democracy as an analytical and empirical tool, I will apply the mini-model in detail to Israel, in a condensed form to Slovakia and Estonia, and in a snapshot to Northern Ireland (1921-72), Poland (1918-35) and Malaysia.

### **A. Israel<sup>18</sup>**

Most observers see Israel as a special or mixed case with regard to its political system, economy and protracted conflict with the Arab world (Arian 1985). Despite

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<sup>18</sup> For a systematic application of the full model of ethnic democracy to Israel and documentation, see Smooha 1990, 1997c, and 2000.

its uniqueness, however, Israel is considered a western democracy by the Jewish elite, including the Zionist left, as well as by mainstream Israeli social scientists and western scholars.<sup>19</sup> In all these nation-states, including Israel, the majority determines the identity and culture of state institutions. Hence, it is assumed that Israel is democratic and Jewish as France is democratic and French. This widespread outlook will be examined below.

### *Background*

The Jews lived in the Land of Israel till the year 70 AD and were then exiled from their homeland. As a result of the Jewish question in Europe, a Zionist movement emerged in the late nineteenth century, aiming to restore the Jewish homeland in the Land of Israel. Until 1948 600,000 immigrants arrived and built a new modern Jewish community. The right of Jews to the land and statehood were recognized in a series of Western and international resolutions. The Palestinians rejected Jewish settlement and rights and demanded from the British Mandate the immediate formation of a Palestinian state. In 1948 the State of Israel was proclaimed and a war with the Arab world erupted. During the war over half of the Palestinian people escaped or were deported and became refugees. At the end of the war Israel controlled 78 per cent of the land of Mandatory Palestine.

Of the 900,000 Palestinians who lived in the area that became Israel, only 186,000 Palestinian Arabs remained in the country. Israel extended automatic citizenship to the Arabs, but they were considered potentially disloyal and put under military government until 1966. About half of their land was confiscated. Israel absorbed millions of Jews since 1948 but refused to let the Arab refugees return. In the aftermath of the 1967 war Israel occupied the entire land of Mandatory Palestine, bringing Palestinian citizens and non-citizens together. By the mid-1970s Israeli Palestinians got organized and started an intense struggle for peace and equality. In 1976, they conducted the first of many general strikes in protest of land confiscations, inadequate funding and other discriminatory practices. During the first Intifada (the

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<sup>19</sup> Lijphart, for example, regards Israel as a western type of democracy (1993). In a comparative study of 24 democracies, he places Israel in an isolated location because it is found to be very high on certain consociational measures, such as the electoral method of proportional representation, while it is very low on others, such as the unitary, non-federal structure. He explains this classification by Israel's internal deep divisions that necessitate consociationalism and by its small size that does not need federalism. Lijphart's underlying assumption is that Israel is on the whole a western democracy.

Palestinian uprising in the West Bank and Gaza in 1987-93) they protested in solidarity with their brethren. They protested again during the second Intifada (beginning in late September 2000) and 12 Arab citizens were killed in clashes with the police in the first week of October 2000. Most of the Arabs boycotted the elections to the prime minister (held on February 6, 2001) in protest of the maltreatment of Arab protesters by the police and government.

### *Ethnic Ascendancy*

Israel declares and legislates itself as a Jewish and democratic state. It is the homeland of the entire Jewish people, of whom over 60 per cent live in the Diaspora. It sees its destiny and duty in preserving the Jewish people and regards the state of Israel as the main instrument to carry out this ultimate goal.

Zionism is the official state ideology and its central objective is to make Israel increasingly Jewish in demography, language, culture, institutions, identity and symbols, and to protect Jewish lives and interests all over the world. Zionism accepts the historical development of Jews as an ethnic nation, in which ethnicity, religion and peoplehood are intertwined. A member of the Jewish people cannot hold to a non-Judaic religion. Israel was conceived and born Jewish. It sees itself as a direct successor of Jewish sovereignty that ended with the destruction of the Second Temple two thousand years ago. It confers a statutory status on Zionist organizations that represent and cater to Jews only.

Israel keeps its Jewish identity through various measures. One important mechanism is the central role of religion. It is Orthodox Judaism that is entrusted with defining who is a Jew, blocking free admission of non-Jews into the Israeli Jewish population and preserving its ethnonational nature. Prevention of the formation of a new, multi-religious, multiethnic, Israeli civic nation is also achieved by the lack of civil marriage and divorce, a legal void that legitimizes and enforces national and religious endogamy. Membership in the Jewish nation is thus kept separate from Israeli citizenship.

Another bulwark of Jewish ascendancy is the Law of Return which provides Jews free admission to and settlement in the country. Jewish newcomers and their Jewish and non-Jewish descendants are extended automatic citizenship, and ample assistance in the absorption and integration of immigrants is provided. Over two million Jews arrived and were absorbed in Israeli society since 1948. Jews are considered

“returnees,” not immigrants. The other dimension of the Law of Return is the denial of the right of repatriation to 3.5 million Palestinian refugees. The Law of Return is further complemented by the virtual non-practice of Israel’s laws of immigration and naturalization. Together, these three pillars of the immigration regime guarantee the preservation and augmentation of the Jewish majority.

Hebrew is Israel’s official and dominant language while Arabic is official but non-dominant. It is the solid base of the evolving Israeli Jewish culture and is dominant in all areas of life (home, mass media, economy, government, science, etc.). It is the only official language in compulsory education for Jews, displacing foreign languages and cultures in the Israeli-born generation. It is acquired and widely used by Jewish immigrants and Israeli Arabs.

Over 90 per cent of the land in Israel is either owned or controlled by the state or Jewish public bodies. Jewish control of land makes it possible to establish new Jewish settlements for immigrant absorption and national security and to expand and develop existing Jewish communities all over the country.

The state symbolic system is strictly Jewish. Israel’s official titular name, calendar, days and sites of commemoration, heroes, flag, emblem, national anthem, names of places and ceremonies are Jewish.

The state also prefers Jews to Arabs in extending entitlements and benefits and in its policies of funding localities, regions, institutions and organizations.

### *Perceived Threats*

In the Jews’ eyes, the creation, crafting and maintenance of Israel as a Jewish and democratic state, rather than as a civic democracy, aim to contain three major threats to their nation and state. One is the menace to the continued survival of the Jewish Diaspora. Antisemitism, dilution of the Jewish identity and culture and mixed marriages are the main dangers. Israel defines its role as an agent who forestalls these dangers, fosters ties with the Diaspora, facilitates Jewish immigration, and thus normalizes the Jewish people. A Jewish state is regarded as a necessary condition for the Jewish national survival. It provides a safe shelter to persecuted Jews and to any Jew who seeks full and sovereign Jewish life. Preservation of the Jewish Diaspora is important for Israel as a reservoir of immigrants, political support, moral solidarity and economic help.

The second threat is the physical and political survival of Israel in the region. Despite the peace treaties with Egypt and Jordan, Israel sees itself rejected and resisted by Syria, Iraq, Iran and other Moslem states. Even if peace is achieved, the region will remain insecure, unfriendly and volatile. Located in a largely non-Jewish region, the Jewish state will have to keep a high military capability and national distinctiveness in order to survive as a separate state. Regional animosity is expected to continue because Israel prefers economic, political and cultural integration into the West rather than into the Middle East. Maintenance of Israel as a Jewish state stirs rejection in the region on the one hand, and is a cause for the mobilization of Israeli Jews on the other.

The Palestinian citizens of Israel are the third threat in Jewish eyes. They constitute a security and demographic hazard. With regard to national security, the Arabs are an enemy-affiliated minority and an integral part of the Palestinian people and the multi-state Arab nation that are not friendly to Israel. They are also concentrated in border and confrontation areas with high pressure to collaborate with hostile elements. They live in territories that were earmarked to belong to a Palestinian state according to the 1947 UN partition resolution, and hence are suspected of harboring a deep-seated secessionist sentiment. Their numerous deprivations in the past and present cast further doubt on their loyalty to the state.

There are several elements in the Israeli Arab demography that frighten the Jews. The Arabs make up 11 per cent of Israel's electorate, making them a direct threat to the right-wing political bloc (over half of the Jewish voters) that does not receive from them its share of support. Hence they can decide crucial issues, most notably territorial withdrawals in exchange for peace agreements, that divide Jews in Israel. Since the Arab birthrate is double the Jewish one, the Arabs enjoy a disproportionate share of the state resources. They constitute a majority of 70 per cent in the central-mountainous Galilee, a concentration that is feared to threaten the national security and the Jewish identity of the Northern region and to prompt them to demand territorial autonomy.

### *Diminished Democracy*

Israel functions as a diminished democracy for the Arab minority. It extends them both individual and collective rights. The Arabs enjoy human, social, civil and political rights. They are recognized as a minority and accorded all the collective



rights that are essential for a separate existence: free use of the Arabic language (which is an official language), a separate school system in Arabic, Arabic media, Arabic cultural institutions, and separate religious institutions that ensure endogamy. All these institutional arrangements are at least partially funded by the state. The Arabs live in separate communities and are not pressured to assimilate.

However, Arab rights are incomplete and not properly protected. Israel does not accept the Arabs as a national Palestinian minority. It does not recognize their national leadership, their right to cultural autonomy and their ties with the Palestinian people. Their right to property, for instance, is vulnerable in view of the massive land expropriations, the state's reluctance to allocate land for Arab development, and the social and semi-legal restrictions on land acquisitions by Arabs outside Arab areas. Discrimination against the Arabs by the state and by the Jewish public is widespread in the funding of services, entitlements and hiring.

On the other hand, the Arab right to representation, protest and struggle is highly respected by the state. The Arab participation rates in elections to the Knesset, local authorities and the Histadrut trade union is very high. They elect Arab representatives in proper proportion. For instance, 12 out of the 120 Knesset members in 2001 were Arabs, of whom 9 represented Arab parties. The Arab representation in the Knesset provides a political leverage in the divided Israeli politics. The Arabs extensively use demonstrations and partial and general strikes in protest for peace and equality. There is a large Arab civic society, consisting of political representative bodies, self-help and welfare organizations, and cultural associations. All these voluntary groups are engaged in the promotion of Arab interests and in protest both in Israel and abroad. The authorities do not ban these activities and do not use repressive measures against Arab dissidents.

At the same time, the Arabs are regarded as potentially disloyal to the state and are placed under control. Looming largest among the diverse control measures is security surveillance. The Arabs are exempted from compulsory military service and excluded from the other security forces. Defined as a high risk, the Arab minority as a whole is an official target of the secret service that collects information, follows troublemakers and issues security alerts. The state operates in a permanent state of emergency with unlimited powers to suspend civil rights in order to detect and prevent security infractions. Israeli law does not allow a change of Israel's Jewish-Zionist character through parliamentary procedures. Israeli citizens, including the

Arabs, are precluded by law from establishing political parties and running for the Knesset on a platform that denies Israel as the homeland of the Jewish people; motions by Knesset members to tamper with Israel's exclusive Jewish-Zionist identity and mission are similarly forbidden. Israel denies Arabs cultural autonomy lest they misuse it for instigating against the state, building an independent power base, conducting illegal struggle and forming a secessionist movement. Since 1948 the state has successfully executed a large-scale Jewish settlement of Arab areas in order to de-territorialize the Arabs. It has also made attempts to encourage internal Arab divisions in order to weaken national Arab unity and to prevent a concerted mass support for the PLO and the Palestinian people. All these steps for containing the Arab minority are taken in defense of national security and the Jewish-Zionist nature of the state.

The diminished and self-contradictory nature of Israeli democracy and Arab status is evident in Arab politics. The Arab parties, enjoying about 70 per cent of the Arab vote, are part of the Labor political bloc. Without the Arab vote and without the support of the Arab parties, the Labor-Meretz government of 1992-1996 could not have been formed and the Oslo peace process would not have been possible. One of the right-wing slogans in the 1996 election campaign was "Natanyahu is good for the Jews." The Likud and radical right opposition parties and movements delegitimized the Rabin government and peacemaking for being dependent on Arab support and devoid of "a Jewish political majority." In 2000 the Likud introduced a Knesset bill requiring a special majority in future national referendums on Israel's permanent borders. The manifest intention is to neutralize the Arab vote. These delegitimacy moves are censured by the left and Labor as "racist." Labor-Left governments exploit the backing of Arab parties from the outside, excluding them from the government coalition and denying them cabinet posts, power-sharing and many other resources commonly allocated to coalition partners. Yet the Rabin government of 1992-1995 made significant concessions to the Arab minority (e.g., abolished the well-established discrimination in family allowances).

It is also worth noting that the formal legal ban of parliamentary actions against Israel's character is actually not enforced. Arab parties that reject Israel's Jewish-Zionist identity are formed, run in Knesset elections and introduce bills for restructuring the Jewish makeup of the state. The Jewish establishment tolerates Arab dissidence because it is united and resolute on the Jewish nature of the state and because of the calculation that underground Arab dissidence is more dangerous and

damaging. This contradiction in the Arab political status recurs even more strikingly in the peculiar situation where the Arabs are allowed to keep separate communities and institutions but are deprived of institutional autonomy (e.g., they have separate schools in Arabic but do not control them).

The non-civic character of Israel's regime is quite transparent. Ethnic nationalism reinforces the ethnic nature of democracy. Jewish nationality is grounded on ethnic descent and religion, neither on residence in a common territory nor on a shared citizenship. National identity takes precedence over citizenship among both Arabs and Jews. There has been no development in Israel of an Israeli nation or an Israeli people and the national movements of both sides negate the formation of such new overarching entities.<sup>20</sup>

Israel is a diminished ethnic democracy and not a liberal democracy because the state recognizes ethnic groups, and not just individuals. It is neither a liberal nor a multicultural democracy because it makes the Jews a core ethnic nation and the Arabs non-core outsiders. It imposes separation between Arabs and Jews through the law of religious marriages, making intermarriages infrequent and illegitimate (but recognizable by law). Israel lacks a national identity of its own that is shared by all of its citizens, and instead of treating all citizens equally, it privileges the Jews. The state is explicitly partial, serving as the homeland of all Jews in the world, not impartially catering to all its citizens regardless of ethnic origin.

Israel is an ethnic democracy and not a consociational democracy because the state is neither binational nor neutral in the dispute between minority and majority but is rather identified with the Jewish majority that employs it as a vehicle to further its particular interests. The Arab minority is not considered as an equal partner in the society and the state. It is suspected of disloyalty and placed under control, not

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<sup>20</sup> The ethnic nature of Israeli democracy is also evident in the criteria of good citizenship and in the basic inequality between Arabs and Jews to meet them. A good citizen contributes to the state much beyond law obedience, tax payment, military service, voting in elections and regular involvement in public life that are expected of a rank and file citizen. With the crucial exception of army duty, there is no difference between Arabs and Jews in becoming rank and file citizens. On the other hand, a good citizen in Israel is expected not only to excel in voluntary activities but also to make contributions to the achievement of state goals, which are the strengthening of national security, increase of the Jewish majority, cultivation of the Hebrew language, ingathering of (Jewish) exiles, settlement of the land (with Jews), dispersion of the (Jewish) population all over the country and economic independence. This "common good" was and is determined by Jews only and Arabs are barred from influencing it. The prospects that an Arab will become a good citizen are low indeed because being an Arab, bearing Arab children and practicing Arabic language and culture, an Arab cannot contribute, whatever efforts made, to most of these state Jewish objectives.

recognized as a national Palestinian minority, denied a proportional share of the national resources, lacking territorial or institutional autonomy and devoid of a veto power. There is no need to conduct tough negotiations with the Arabs in order to reach compromises and agreements over disputed issues.

Israel is not a common western nation-state. As an ethnic democracy, it is not Jewish and democratic in the same way as France, being a republican-liberal democracy, is French and democratic, and not in the same way as Belgium, being a consociational democracy, is Belgian and democratic. It is paradoxical, however, that the Jews strongly believe that Israeli democracy is western and liberal, and that there is no contradiction in Israel between being Jewish and democratic. It is even more paradoxical that Israel is universally accepted in the West as a Western liberal democracy. Its character as Jewish and democratic is sanctioned by the West and was legitimized by the 1947 United Nations partition resolution, providing for the formation of two states in Palestine – one Jewish and one Arab. In other words, there is international legitimacy for the existence of an ethnic democracy in Israel.

Israel's Supreme Court articulated, in several rulings, the Jewish-democratic credo on Israeli democracy. It reaffirmed the constitutionality of the requirement that in order to participate in Knesset elections any list must not deny Israel as the homeland of the Jewish people. In this regard it ruled that "there is no contradiction whatsoever between these two things: The state is the state of the Jews, while its regime is an enlightened democratic regime that accords rights to all citizens, Jews and non-Jews" (Supreme Court, 1989, paragraph 8). The counter-claim that there is an inbuilt contradiction between the democratic and Jewish nature of the state was rejected: "There is no real contradiction, so to speak, between the different clauses of paragraph 7a: the existence of the State of Israel as the state of the Jewish people does not negate its democratic character, as the Frenchness of France does not negate its democratic character" (Supreme Court, 1988, p. 189). At the same time the Supreme Court announced the constitutionality of the principle of equality and issued some rulings, since mid-1985, that are liberal in nature and in favor of the Arabs. To mention just a few, the court refrained from disqualifying Arab parties despite their alleged rejection of Israel as the homeland of the Jewish people, supported the mandatory use of Arabic in official signs, ruled against the state practice to allocate land for founding purely Jewish communities, and declared certain state funding policies as discriminatory and void.

The Jewish consensus on the liberal and enlightened nature of Israeli democracy and the inability to see the difference between Israel and western countries are a genuine conviction, not a make-believe. Israel is considered as a Western liberal democracy because it meets the fundamental requirement of extending individual (human, social, civil and political) rights for all, while the existence of the principle of Jewish ascendancy is deemed irrelevant. The true belief in the full legitimacy and quality of the Israeli democracy makes the Jews united, determined and intransigent on holding to ethnic democracy. Furthermore, the provision of individual and certain group rights to the Arab minority creates ambiguity and flexibility in the nature of the system, contributing to its stability.

These ideas about the liberal nature of Israeli democracy are shared by Israeli and western mainstream social scientists. For instance, Neuberger (1998) regards Israel as a liberal “democracy with stains.” It deviates from liberal democracy in a lack of constitution, a permanent state of emergency, an indirect legal inequality between men and women through the religious jurisdiction over personal status, the statutory status of the Zionist organizations, the Law of Return and related deviations. These shortcomings do not disqualify Israel as a liberal democracy, however, because they are not debilitating and because there is no such thing as a perfect liberal democracy. Neuberger (1999) rejects the model of ethnic democracy in principle and its application to Israel in particular. Dowty (1999) follows suit. He sees all liberal-democratic nation-states as ethnic in one way or another and Israel as generally more ethnic and problematic on the continuum. Avineri (1998) claims that Israel better fits the type of multicultural democracy than western countries like France with regard to cultural, religious and national minorities. Israel recognizes the Arabs as a linguistic, cultural and religious minority and extends to them wide collective rights, while liberal-republican and Jacobin France imposes a uniform linguistic-cultural model on the entire population. Don-Yehiya and Susser (1999) do not share Avineri’s analysis. Rather, they see Israel as an exception among western democracies in not having developed toward multicultural democracy since 1945. They attribute the persistence of Jewish ethnonationalism to the centrality of religion for Jewish national survival and to the centuries-old, ethno-religious Jewish nation that pre-dates the modern state of Israel. Notwithstanding these well-taken insights, Don-Yehiya and Susser categorize Israel as a liberal democracy.

These characteristics which are viewed by mainstream social scientists like Neuberger as readily rectifiable aberrations, are regarded by radical social scientists as substantive traits that make Israel a non-democracy. For Yiftachel (1997), Rouhana (1998), Ghanem (1998), Ghanem, Rouhana and Yiftachel (1999) and Kimmerling (1999), among others, Israel is an “ethnic state” or an “ethnocracy,” a state with some democratic features but clearly short of being a democracy. While refraining from the term *Herrenvolk* democracy, they advance the view of Israel as a settler-frontier society without fixed borders, an occupier of Palestinian territories, an exclusionary and discriminatory state vis-à-vis its Arab citizens, a society leaning toward theocracy, militarism, and the like. The formation of the Palestinian Authority, the historical process of peacemaking and the ongoing democratization of the state do not alter this situation radically, leaving Israel as a non-democracy.

Both the mainstream and radical approaches err in disregarding the inherent contradiction built into Israel’s dual character. Israel is a solid ethnic democracy that possesses not only the features but also most of the conditions that give rise to and sustain ethnic democracy. They include a large and stable Jewish majority, a strong commitment to democracy for all, self-definition of the Jews as a homeland ethnic nation (a returning Diaspora rather than immigrants and settlers) with an inalienable right to the land, and the existence of a big Diaspora with support and need of Israel. No less important is the Jews’ pervasive sense of continued serious threats to the survival of the Jewish people and Israel that only a Jewish and democratic state can forestall. This set of circumstances is firm enough to shore up an ethnic democracy in Israel.

### *Factors Conducive to Emergence*

What are the factors accounting for the emergence of ethnic democracy in Israel? The Jewish nature of the state is not a natural outgrowth of the unintentional, centuries-old, normal process of living on the land as a Jewish majority, but rather a result of the Zionist project of the twentieth century to design a state on such a basis, to craft it according to a blueprint of ethnic-Jewish arrangements and institutions, and to follow an explicit policy of arresting the possible development of democracy along civic – liberal, multicultural, or consociational – lines.

Zionism emerged in Eastern Europe as a brand of ethnic nationalism, accepting the Jews as an ethnic nation. The Zionist project has always aimed to resolve the

Jewish question and to mold a state that serves as the exclusive homeland and protector of the Jewish people. The Jewish state has been conceived as a primary tool for containing real and imagined threats to the security, welfare and national identity of the Jews in the Diaspora and the Land of Israel. The continued Jewish-Arab conflict before and after the establishment of the Jewish state necessitates the mass mobilization of the Jews, and the idea of an ethnic Jewish state has served as an effective means of mobilization.

While it is clear why under these circumstances the state created by the Jews could not be designed to be a civic state but rather an ethnic state, it remains to be explained why it became democratic. Two factors can account for democracy. One is the commitment of Zionism and the Jewish founders of the state to democracy. Zionism has a strong orientation to the West and the idea of democracy has always been central in its grand design. Democracy is an admission card into the West and an expedient for receiving ample and essential support from the West. It has also been a vital mode of conflict-management between rival Jewish groups. Adherence to democratic procedures rests, therefore, on strong ideological and pragmatic considerations.

The other explanatory factor is affordability. It was feasible to establish democracy in Israel and to extend it to the Arabs because they constituted a small and manageable minority as a result of the mass exodus of the Palestinians during the 1948 war. Without the massive removals of the Palestinians, the Arab minority would have probably been disenfranchised. This speculation can be substantiated by the fact that the occupation of the West Bank and Gaza Strip in 1967 has not led to full annexation, with an automatic extension of citizenship to the Palestinians, as Israel did after 1948. The size of the Palestinian population has acted since 1967 as the real obstacle and it still is the most important reason for Israel's readiness to withdraw from most of the Palestinian territories and to allow the formation of a separate Palestinian state. The Zionist idea of a Jewish and democratic state, namely, ethnic democracy, is the primary consideration in including the small Arab minority into Israeli democracy and in excluding the larger Palestinian population.

### *Conditions of Stability*

Israel can continue to be a Jewish and democratic state for the foreseeable future if it meets several conditions. First is the need to keep Jews as a permanent majority in

Israel. Jews will remain a solid majority if Diaspora Jews continue to immigrate to Israel, if non-Jews will be kept out, if Israel will withdraw from the West Bank and Gaza, and if it will continue to deny the right of return to Arab refugees. There is a consensus on this issue within the Jewish majority.

The second condition is a continued sense of threat to the survival of the Jewish ethnic nation in Israel and abroad. Without a continued perceived threat and a sense of insecurity, Jews will not feel the need to keep Israel Jewish as a defense system.

The third condition is the continued inability and unwillingness of the Arab world and the Palestinian people to intervene on behalf of the Arab minority in Israel. If these ethnic patrons are capable and willing to mobilize Israeli Arabs in order to destabilize Israel, Israel may withhold democracy from its Arab citizens in order to weather the foreign intervention. This condition will not be met as long as Israel remains strong. It is also unlikely that the PLO or Palestinian leaders will pursue this course of action because it is in their interest to have a Palestinian minority in Israel that can act as a strong lobby for Palestinian causes.

The fourth condition is lack of intervention by the international community on behalf of the Arab minority and for changing Israel's character. This condition is satisfied. Israel's right to be Jewish and democratic is fully legitimated in the 1947 UN resolution for the formation of Jewish and Arab states in Palestine. It has never been challenged by any international resolution. The more recent criticisms of Israel by UN committees and other international organizations on human and minority rights for maltreating Arabs in Israel are limited in scope and have never questioned the legitimacy of the Jewish state and its democracy.

The ethnic configuration of Israeli democracy is so deeply ingrained that a shift to a civic type is not likely for the foreseeable future. The Jews take ethnic democracy for granted and see it as unproblematic. They regard a Jewish and democratic state as their absolute and legitimate right, think that Jews can fulfill their national aspirations only in a Jewish state, and feel that their life in Israel would become meaningless if Israel ceased to be Jewish. The vocal "post-Zionist" circle, advocating a liberal, multicultural or a consociational democracy, is mostly confined to a handful of Jewish intellectuals and unlikely to become the mainstream in the foreseeable future. A radical transformation of Israel is most genuinely and popularly desired by the Arabs but they do not have the power to affect such a sea change.



The stability of Israeli ethnic democracy also stems from its flexibility and adaptability. It has truly improved over the years, as reflected in the shift in the Arab status. Israel has undergone a process of democratization and has substantially eroded the control over Arabs. Until 1966 and to a large extent even through 1975, the Arabs were placed under strict administrative control, subject to massive land expropriations and extensive discrimination, and passively resigned to their fate as a subordinate minority. Since 1976 they have been engaged in a continuous struggle for equal rights and opportunities and for peace, for publicly expressing their Palestinian identity and attachment, organizing in independent and nationalist parties, seeking autonomy, and even calling for remaking Israel into “a state of all of its citizens,” a slogan that challenges Israel’s Jewish-Zionist character.

This change amounts to a historical shift from a hardline to a standard subtype of ethnic democracy. It shows that Israel’s ethnic democracy is flexible enough to absorb, in the future, various concessions to the Arabs, including admission into coalition politics, extension of cultural autonomy and recognition of the Arabs as a Palestinian national minority. These and other consociational ingredients can be integrated into Israel’s ethnic democracy without transforming its essence, namely, institutionalized Jewish dominance, state preferential treatment of Jews, preservation of a Jewish majority, state Jewish symbols and a firm commitment to and ties with the Jewish Diaspora.<sup>21</sup>

Survey data, collected during the period from 1976 to 1995, demonstrate the disagreement between Jews and Arabs on ethnic democracy and the trends of change in their attitudes on this fundamental issue.<sup>22</sup> They show that the Jews are firmly committed to Israel as an ethnic democracy and that their commitment has not waned over the years. An overwhelming majority of 86.2 per cent in 1988 and 90.5 per cent in 1995 defined themselves as Zionist. As many as 97.7 per cent in 1980 and 96.4 per cent in 1995 thought that the state should keep its Jewish majority. The internal differences on this matter were insignificant. According to the 1995 survey, the

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<sup>21</sup> For the contrary view that the introduction of such consociational elements would transform Israel from an ethnic to a consociational democracy, see Peled 1993.

<sup>22</sup> Five surveys were conducted in the years 1976, 1980, 1985, 1988 and 1995. Each was based on a national representative sample of 1,200 Arab and 1,200 Jewish Israelis aged 18 and older and living in Israel within the pre-1967 borders (excluding East Jerusalem). Data were collected by standard questionnaires in face-to-face interviews. Sampling error is 3.5 per cent. Surveys are comparable due to a common design and core questions. The 1985 and 1988 surveys are reported in full in Smootha 1992 and the 1995 survey in Smootha 1997a.

proportions supporting a policy of Jewish majority for Israel were 95.5 per cent among the most cosmopolitan Jews,<sup>23</sup> 92.9 per cent among voters for the left, 99.3 per cent among voters for the right and 100.0 per cent among the ultra-Orthodox although they are known to be aloof to Zionism. The proportion of Jews who definitely oppose and would not even consider the adaptation of the Israeli flag in order to have Israeli Arabs identify with it was 91.1 per cent in 1980 and 86.7 per cent in 1995.

Other findings reveal that Jews associate the ethnic nature of the state with many other characteristics that would be regarded as racist in western civic democracies. For instance, in 1995 59.9 per cent agreed that on questions involving territorial withdrawals that determine Israel's permanent borders there should be a Jewish political majority and Arab votes should not be considered; 36.7 per cent were in favor of and 35.0 per cent were reserved about (but not opposed to) the idea that the state should seek and use any opportunity to encourage Israeli Arab citizens to leave the country; 59.2 per cent maintained that only Jews should be employed in the civil service or at least should be given preferential treatment in employment in this state sector; and 85.9 per cent oppose the appointment of an Arab as the state's president.

In contrast, Arab citizens show a clear trend of accommodation. To cite some of the highlights, the proportion denying Israel's right to exist was as low as 20.5 per cent in 1976, dropping to 6.8 per cent in 1995. Arabs defining themselves in non-Israeli Palestinian terms constituted 32.9 per cent in 1976, down to 10.3 per cent in 1995. Moreover, the proportion of Arabs rejecting Israel's right to exist as a Jewish-Zionist state (i.e., as an ethnic democracy) declined from 57.1 per cent in 1980 to 35.3 per cent in 1995, and the proportion of Arabs defining themselves as anti-Zionist diminished from 47.1 per cent in 1988 to 24.7 per cent in 1995. These figures unravel the growing realization among Israeli Arabs that the forthcoming solution to the Palestinian question obliges them to resign themselves to a minority status, that they are unable to do away with Israel's Jewish-Zionist character and that their struggle should be conducted according to the law and focus on obtaining greater equality.

Questions were posed in the 1995 survey about the acceptability of each option for reshaping Arab-Jewish relations. Of the Jews, as many as 31.4 per cent agreed to a population transfer of Israeli Arab citizens, 26.5 per cent to a *Herrenvolk* democracy,

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<sup>23</sup> Jews who are Israeli-born, Ashkenazi (European), aged 18-45, having post-secondary education, secular and supporting the left parties (Labor and Meretz).

and as few as 4.5 per cent to a liberal democracy. It is confirmed by previous surveys that very few Jews consent to a binational state (consociational democracy). Of the Arabs, 31.6 per cent agreed to an Islamic state in Greater Palestine instead of Israel, 37.8 per cent to a secular-democratic state in Greater Palestine to replace Israel, 81.5 per cent to a consociational democracy, 40.5 per cent to an individual-liberal democracy, and 24.4 per cent to an individual-liberal democracy with the possibility of a significant rate of intermarriage. Beyond these sharp Jewish-Arab discords, however, there were concurring majorities of 71.5 per cent of the Jews and 65.9 per cent of the Arabs on what can be called “an improved ethnic democracy”: “Israel will continue to be a Jewish-Zionist state and the Arabs will enjoy democratic rights, get their proportional share of the budgets and manage their religious, educational and cultural institutions.”

This picture of Arab-Jewish relations has been, however, undergoing a significant change since 1996 (after the 1995 surveys were taken). All Israeli governments since Rabin’s assassination in November 1995 were particularly bad for the Arab minority in their double retreat from the peacemaking with the Palestinians and from the benevolent Rabin policies toward Israeli Arabs. In 1996 two radical Arab groups joined Israeli parliamentary politics – a faction of the fundamentalist Islamic Movement and a nationalist Palestinian movement known as Balad. They launched heavy attacks against the status quo of discrimination and exclusion of Arabs and blamed the nature of the regime for the Arab predicament. This combination of a shift to the worse in the government’s foreign and domestic policies and the entry of new radical forces into Arab politics redirected the Arab political discourse toward greater rejection of the status quo, militancy and radicalism. The change was well captured by the two Arab public opinion surveys taken in 1999 and 2001. For instance, the historical decrease in the proportion of Arabs denying Israel’s right to exist, dropping from 20.5 per cent in 1976 to 6.8 per cent in 1995, was reversed, rising to 15.6 per cent in 2001.

The outbreak of the Palestinian Intifada also engulfed Israeli Arabs. Their protest in solidarity with the Intifada encountered harsh police brutality, resulting in 12 Arab casualties and hundreds wounded during the first week of October 2000. In Arab eyes, the state treated them as non-citizens, while in Jewish eyes, Arabs behaved as non-citizens by siding unequivocally with the enemy. The Arab anger at the Labor government led to two unprecedented democratic moves – the appointment of a state

inquiry commission to investigate the October events and the Arab boycott of the elections to the prime minister held in February 2001. These intricate developments divulge the complex interplay of democratic and non-democratic forces in Israel's ethnic democracy.

## **B. Slovakia<sup>24</sup>**

### *Background*

The Slovaks have lived in the present area of Slovakia for centuries but for over more than one thousand years they were under an imperial Hungarian rule. Slovak nationalism rose only during the 1860s and demanded autonomy within, rather than independence from, the Hungarian empire. During the first decade of the twentieth century Hungary practiced a firm assimilationist policy, closing Slovak schools and cultural associations. In 1918, following the collapse of the Austro-Hungarian empire, the new state of Czechoslovakia came into being. The Trianon Peace Treaty of 1920 officially sealed the loss of two-thirds of Hungary's territory and one-third of its population to neighboring countries, resulting in a near abroad Hungarian Diaspora totaling 5 million in 2001.

One of the new Hungarian minorities lived in Southern Slovakia and enjoyed collective rights like other minorities in Czechoslovakia. In 1938 Nazi Germany occupied Czechoslovakia, annexed the Czech part, ceded Southern Slovakia to Hungary and declared Slovakia as an independent (Nazi puppet) state. The resistance movement against the pro-Nazi government of Slovakia considered the Hungarians as collaborators with the enemy (Hungary and Germany). After the war the new government in Slovakia adopted the doctrine of "collective guilt" (Benes Decrees) of the Hungarians and the Sudeten Germans and took harsh measures, including expulsion, ethnic cleansing, disenfranchisement, confiscation of property, and a ban on the public use of the Hungarian language, against them. While the removal of the Germans was approved by the Allies, the expulsion of the Hungarians was allowed only partially because their collaboration with the Nazis was considered to be less serious. A population exchange between Hungary and Czechoslovakia took place that decreased the size of the Hungarian minority in Slovakia.

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<sup>24</sup> For an application of the mini-model of ethnic democracy to Slovakia, see Van Duin and Polackova 2000. This section draws on many sources, including Bekker 1997; Gyurcsik and Satterwhite 1996; Hungary 1998; Kusy 1997; and Daftary and Gál 2000.

The communist takeover of Slovakia in 1948 stabilized the situation and stopped the persecution of Hungarians who stayed and allowed some to return. By 1968 the rights of the Hungarian minority were restored in Czechoslovakia. The Hungarians in Slovakia, like their kinfolk in Hungary, supported the Velvet Revolution. During the post-Communist transition period from 1989 to 1992 the rights of the Hungarians as a minority were respected. The breakup of Czechoslovakia on January 1, 1993 was a turning point in the status of the Hungarian minority which did not welcome it. Its size in the new state of Slovakia was doubled, reaching 11 per cent of the total population. Until 1998 the state was ruled by Prime Minister Meciar who pursued a policy of reducing the minority rights of the Hungarians. In 1998 a new government came to power. It coopted the Hungarian Coalition Party as a member of the government coalition.

After its independence in 1993, Slovakia applied to the European Union and NATO for membership. It joined the Council of Europe in 1993, the OSCE in 1993, and the OECD in 2000. These international bodies and other NGOs monitor democracy and minority rights in Slovakia.

### *Ethnic Ascendancy*

Slovak nationalism is grounded in ethnicity and language. It assumes the existence of a mythical Slovak ethnic nation in the area for the last 800 years. It deplores the subordination of the Slovak nation to the Magyars for centuries and to the Czechs to a large degree during the period from 1918 to 92. Independence since 1993 is the first historical opportunity to assert the Slovak ethnic nation and to build an independent state that is modeled after it. Slovak nationalism is clearly insecure, reactive, suspicious, revengeful, and devoid of liberal-democratic roots. It is preoccupied with feelings of inferiority and inadequacy toward both Hungarians and Czechs who were historically dominant and successful. Slovak post-independence nationalism aims to build a strong Slovak nation-state. Its stands on a civic type of democracy, a market economy and accession to the European Union and NATO are reserved and ambiguous.

State-building and nation-building in Slovakia are designed to install ethnic Slovaks as the sole nation and to prevent any sign of binationalism. This objective is made clear in the preamble of the Slovak constitution which begins with the following words: "We, the Slovak nation, bearing in mind the political and cultural heritage of

our predecessors, the experience gained through centuries of struggle for our national existence and statehood...” It is the Slovak ethnic nation, not Slovak citizens, who are the new state-forming people of Slovakia. Explicit conflict-laden reference is also made in the constitution to the Slovaks’ “historical legacy of Great Moravia”. Ethnic Slovaks’ adoption of Moravian heritage as part of Slovak history and culture drives an edge between them and ethnic Hungarians because of the protracted existential conflict between Moravians and Hungarians. According to the preamble of the constitution, both ethnic Slovaks and other citizens ought to develop Slovakia as an ethnic nation-state for the benefit of ethnic Slovaks.

Slovakia is obviously avoiding any step that may be seen as making the Hungarian minority a co-nation and Slovakia a binational state. The state is plainly regarded by ethnic Slovaks as a tool to express their nationalism and to advance their interests while the Hungarians feel as second-class citizens. Slovaks’ ethnic ascendancy is transparent in language and state symbols. Slovak is the only state language and all state symbols (the flag, anthem, state seal, heroes, national monuments, calendar, and the like) are strictly Slovak. According to a liberal 1999 law, minority languages are recognized for use in official contacts only in localities where a linguistic minority totals over 20 per cent of the local population and when the Minister of Interior certifies that this is the case. The minority has a right to separate schools in its own language but the protection of minority languages in other public spheres (courts, names of places, economy, etc.) is neither clear nor binding. The Slovak language is protected everywhere while the Hungarian language is not.

The Hungarians are not accorded autonomy – be it territorial, national, educational, or cultural. The policy of the Meciar Government was to reduce Hungarian minority rights. The borders of the administrative districts were redrawn in a way that turned Hungarians into minorities in all districts despite their concentration in the south. Hungarians are not allowed to establish a state-funded Hungarian-speaking university.<sup>25</sup> Privatization under Meciar proceeded in a clientalist way, indirectly hurting the Hungarians who were excluded from the network of the nationalist regime and hence they are clearly underrepresented in the new capitalist class. Hungarians received their share of the land as farmers, but Hungarian

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<sup>25</sup> Instead of a separate Hungarian university, Hungarians are offered a Hungarian-speaking faculty in the Slovak University of Nitra. The main goal of this move is to train teachers for Hungarian schools. Many Hungarians from Slovakia pursue university education in Hungary.

communities are deprived of land allocation for development and generation of revenues. The government denies the Hungarian demand to grant unclaimed lands to nearby municipalities because most of the beneficiaries would be Hungarian communities. State policies discriminate against the Hungarian minority in the funding of services and in appointments.

### *Perceived Threats*

The Slovak state and the Slovak ethnic majority identify two major threats posed by the Hungarian minority. The first and foremost danger is to Slovakia's territorial integrity. The Hungarian minority is defined as a potential fifth column. They are concentrated in the south, bordering with Hungary. For centuries the region was populated by Hungarians and considered Hungarian. It was ceded to Slovakia in 1918, returned again to Hungary in 1938 and re-ceded to Slovakia in 1945. The region is the most fertile land in the country and a national security asset. Slovakia feels insecure about the region, is especially fearful of irredentism by both Hungary and the Hungarian minority. Hungarian leaders from Slovakia maintain continuing ties with the Hungarian government, which has a separate ministry to deal with near abroad and Diaspora Hungarians. The contacts with the external homeland and patron cast doubts, in the minds of ethnic Slovaks, on the loyalty of the Hungarian minority. The questioning of Hungarian loyalty is further reinforced by Hungary's Status Law enacted in 2001 which grants ethnic Hungarians near abroad privileges of entry, residence, employment, education and other benefits in Hungary. Although it is not officially and actually irredentist, Hungary's active and partly interventionist Diaspora (near abroad) policy is seen as a threat by the insecure and suspicious Slovaks.

The other and related threat is posed by the Hungarian minority to the uninational, unilingual and unicultural character of the state. Hungarians are by and large a dissident minority. Hungarian parties did not support the breakup of Czechoslovakia and did not vote for the constitution, the 1995 and 1999 language laws and the laws on reform of public administration (but they did vote for the constitutional reform of 2001). Whether they admit it or not, the ultimate goal of the Hungarians and Hungarian parties is to make Slovakia a binational and a bilingual state and to establish a full-fledged consociational democracy in which they will enjoy power-sharing, autonomy, proportional share of resources, veto power and politics of negotiation and compromise. As an indigenous and non-assimilating minority, living

in part of their historical homeland, ethnic Hungarians see these demands as legitimate and receive the backing of Hungary. On the other hand, in the eyes of ethnic Slovaks, Hungarian claims are subversive in nature. It is widely feared that the fully politically mobilized and represented Hungarians will misuse their strategic power in the fractured Slovak politics to transform the identity of the state.

Slovakia employs several mechanisms to avert these threats. It does not allow transnational cooperation to prevent solidarity between Hungarians across the border. In order to contain Hungary's potential aggression and intervention, Slovakia reached an agreement with Hungary on permanent borders, security, cooperation and minority rights. It denies the Hungarians autonomy and a separate nation-forming university. It practices a large-scale policy of deterritorialization of Hungarians by redistricting, turning them into weak and outvoted minorities in local and regional governments. It refuses to amend the preamble of the Constitution and other basic laws. Slovak nationalists also use delegitimacy tactics, arguing that ethnic Hungarians should see themselves primarily as Slovak, be loyal to Slovakia and sever their ties with Hungary. They also argue that the untrustworthy Hungarian parties should be excluded from government coalitions because of their alleged conflict of interests and potential disloyalty, and that laws and policies should be based on an ethnic Slovak political majority.

### *Diminished Democracy*

The political system in Slovakia is a diminished democracy. It satisfies the procedural minimum definition. The state has a democratic constitution and institutions. All permanent residents are extended citizenship, free and fair elections are held, there is change of governments, the press is free, and the like. The Hungarian minority is highly mobilized and uses many political parties, voluntary associations and international bodies in a continued struggle for change. The struggle improves the status of the Hungarian minority and does not face state repression. Yet, democracy is young and fragile. The support for democracy is superficial and pragmatic, intending mostly to satisfy the precondition for admission into the European Union. The Slovak political elite is split on support of democracy, with a qualified backing by the populist-nationalist Movement for a Democratic Slovakia (HZDS, led by Meciar) and the radical right-wing Slovak National Party (SNS).



Ethnic nation-building, clientalism, political corruption and personal and partisan gains often take precedence to due process and universal norms.

The limited quality of Slovak democracy is evident in its dependence on the government in power. During the Meciar formative era, rule of law was broken quite often by governmental bodies, to the extent that Slovakia was not included in the first round of accession to the EU and reports of monitoring agencies were highly critical. Under the Dzurinda government, since 1998, democracy has improved and the 2001 constitutional reform promises to strengthen it much further. Among other measures, the reform provides for greater powers and independence to the Constitutional Court and the state controller, establishes the office of ombudsman and lays the foundation for the decentralization of the public administration. In 2001, the new government signed the *European Charter for Regional or Minority Languages*. Slovakia also has made significant headway in meeting other political and economic requirements for joining the EU, such as implementing a plan to fight political corruption. Democratization benefits particularly ethnic minorities because their rights are usually less protected.

#### *Factors Conducive for Emergence*

What factors can account for the emergence of ethnic democracy, rather than a civic type of democracy, in Slovakia? The Slovak ethnic nation pre-dated and created the Slovak state and hence the nation easily took over the state. A Slovak ethnic nation has been in the making during the twentieth century. The Slovak nation was under a Magyar and Czech tutelage and developed in contradistinction and opposition to them. The Slovak elite crafted the new state in the image of the ethnic nation. Ethnic Slovaks expect the new state to fulfill their submerged national feelings, rights and interests.

Another important factor conducive to the emergence of ethnic democracy in Slovakia is the widespread sense of bitterness and threat generated by the Hungarian minority. The Hungarian minority is seen as part of the historical repressing power and is accused of playing an active disloyal role during World War Two. Its concentration in a sensitive border region and strong ties with a potentially irredentist state called for a policy of containment and exclusion. The Hungarian actual drive for autonomy (although Hungarian political parties have been careful not to present autonomy as an official demand) was perceived as a threat to the very territorial integrity and ethnonational homogeneity of Slovakia.

While these factors explain the grounding of ethnic ascendancy in the Slovak regime, two other factors account for democracy. These are the relatively small size of the minority (11 per cent) that allows to have democracy without renouncing ethnic ascendancy and the vital need to maintain democracy, or at least a semblance of it, in order to comply with international and EU standards. Ethnic democracy is the most appropriate option for this configuration of circumstances.

### *Conditions of Stability*

The main conditions for the perpetuation and stability of ethnic democracy in Slovakia are continued ethnic Slovak majority, non-intervention of Hungary on behalf of the Hungarian minority and the uninterrupted, tacit acceptance of ethnic democracy by the EU. The persistence of these conditions seems probable and hence ethnic democracy looks secure.

On the other hand, there are many likely developments that may turn ethnic democracy superfluous for Slovakia and will slowly transform it into multicultural democracy. Some observers interpret the recent change under the Dzurinda government as a shift in this direction. The transformation of the political regime depends on a substantial reduction in the level of mistrust and fear that ethnic Slovaks feel toward the Hungarian minority. The admission of Slovakia into the EU will liberalize the outlooks of ethnic Slovaks and dissipate their fear of potential Hungarian irredentism. After the joint accession of Slovakia and Hungary to the EU, regional cooperation across the border will be legitimate and will not stir apprehensions of irredentism. Another conciliatory factor is the emphasis put in Slovakia on language rather than on ethnicity and religion as a base for the Slovak ethnic nation and nationalism. The expected spread of bilingualism and biculturalism among the Hungarian minority will alleviate the fears and estrangement felt by ethnic Slovaks, promote mutual accommodation and produce some assimilation among them.

Given these contradictory forces, the struggle over the character of Slovakia is far from over. The state has the potential of consolidating its ethnic democracy or becoming a multicultural democracy.

### **C. Estonia<sup>26</sup>**

Transition to democracy in some of the fifteen independent states that were formed as a result of the breakup of the Soviet Union is still taking shape, but Estonia, Latvia, Georgia and the Moslem states in Asia Minor are clearly leaning toward the type of ethnic democracy. The national majorities took over these states and are transforming them to fit their culture, identity and interests, making it difficult for minorities to live there in equality and peace. Brubaker (1996) shows a direct link between these nationalizing policies and the institutionalization of nationhood and nationality as both a territorial-political entity (the 53 titular republics and autonomies) and as a personal, obligatory and ascribed status (over one hundred mutually exclusive nationalities) in the Soviet Union.

#### *Background*

For centuries Estonia was under successive occupiers (German, Danish, Swedish and Russians; the Russian occupation was the longest and most recent – 1710-1917) and became independent only in 1918. Estonia was a democracy until the mid-1930s and treated its Russian, German, Swedish and Jewish minorities (which made up 12 per cent of the total population) quite well. In 1940 it was occupied and annexed by the Soviet Union, in 1941 it was seized by Nazi Germany and in late 1944 it was re-occupied by the Soviet Union. As a result of the 1944 Soviet takeover, about 70,000 Estonians ran away and thousands of dissidents were repressed, deported, or disappeared. Estonia was forcibly incorporated into the Soviet Union as one of its 15 titular republics. Sovietization meant nationalization of the economy, an authoritarian political system, and Russification. During the period from 1944 to 1953 about 50,000 Estonians endured various forms of repression.

The Soviets regarded the occupied frontier-republic of Estonia as a real danger to national security. To contain the hazard, they practiced a firm policy of deploying Russian-speaking soldiers and sending settlers there. They built new towns for the 200,000 newcomers and granted them preferential treatment in housing, employment, administration and government. The proportion of Russian speakers rose dramatically

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<sup>26</sup> For a systematic and thoughtful application of the full model of ethnic democracy to Estonia, see Järve 2000. This section also draws on the following sources: Stepan 1994; Linz and Stepan 1996; Shafir 1995; G. Smith 1996, 1999; Hallik 1996; Vetik 2000, 2001 in press; Semjonov 2001 in press; Pettai 2000; and Pettai and Hallik 2001.

from under 8 per cent before 1940 to over 35 per cent by independence in 1991. They evolved as a big, privileged and non-assimilating minority. Ethnic Estonians regarded them as agents of an occupying Empire and as simple colonizers.

During the Singing Revolution, the Russian-speaking minorities were mostly opposed to independence. Among ethnic Estonians, two nationalist movements rose: the “inclusionary” Estonian Popular Front (1988) and the “exclusionary” Estonian Citizens Committees (1989). By independence in August 1991, the two movements agreed on the ideology of “legal restorationism” that was propagated by the Citizens Committees and was then adopted as a state ideology. According to this seemingly non-ethnic and legalistic doctrine, Estonia is not a former Soviet republic turning into a new state (as is the case, for instance, of the Ukraine) but rather a pre-existing, liberated state, restoring its pre-1940 independence. This doctrine was reluctantly accepted by the West because the allied superpowers had never recognized the Soviet takeover of the Baltics.

The practical implication of the legal restorationism doctrine has been that automatic citizenship was extended only to residents who were citizens before 1940, turning Soviet-era immigrants into aliens. A new citizenship law (enacted in 1992, amended in 1995) and an alien law (enacted in 1993, consolidated in 2001) were legislated, requiring most Russian speakers to apply for a residence permit, a work permit and citizenship.

Estonia’s population of 1,462,130 in 1997 was divided into 65 per cent ethnic Estonians, 32 per cent Russian-speakers (28 per cent Russians, 2.5 per cent Ukrainians and 1.5 Belarussians) and 3 per cent others. Of the 582,000 Russian speakers in 1989, 144,000 (25 per cent) received Estonian citizenship during the 1990s, 100,000 (17 per cent) left the country (mostly during 1990-94), 88,000 (15 per cent) obtained Russian citizenship, and 250,000 (43 per cent) became stateless. By early 2000 Russian-speakers were divided into 30 per cent citizens, 18 per cent Russian citizens and 52 per cent stateless. With a quarter of its residents being non-citizens, Estonia (like Latvia) has the highest non-citizen rate per capita in Europe.

Estonia joined the OSCE and the United Nations in 1991 and the Council of Europe in 1993. It also applied for membership of the European Union and NATO. These and other international organizations have pressured Estonia to relax its strict requirements for citizenship and to integrate the Russian speakers. During the 1990s the state was busy consolidating the power of ethnic Estonians and putting the onus of

integration on the Russian speakers themselves. In March 2000 the government adopted a new integration program that aims to encourage and to partly fund the learning of the Estonian language, a step vital for the acquisition of Estonian citizenship.

### *Ethnic Ascendancy*

Estonians constitute an ethnic nation, composed of ethnicity and distinct language. Ethnically they are descendants of a Finno-Ugric tribe in the third millennium BC which settled in the present area of Estonia. They claim continued residence in the country for the last 5,000 years. This Nordic stock group has a unique and difficult language, with affinity only to Finnish and Hungarian and without resemblance to any other European language. Although most Estonians today are nominally Lutherans, they are highly secular, and Christianity is divorced from their national identity. Estonia does not have a state religion and marriage and divorce are regulated by a civil law. The term “Estonian” is strictly ethnic and linguistic, neither religious nor civic. Citizenship is separated from nationality and the acquisition of citizenship does not grant membership in the Estonian nation. What would it take a non-Estonian to join the Estonian nation? One needs to command the Estonian language, to adopt the Estonian culture, and probably also to establish family or blood relations to ethnic Estonians. Acquisition of Estonian citizenship is neither necessary nor sufficient.

Ethnic Estonians see themselves as the exclusive owners of Estonia as both a homeland and a state. As a homeland, Estonia is where the Estonian ethnic nation fulfils its right to self-determination; as a state, Estonia is a tool for protecting the survival of the Estonian nation and for promoting the interests and wellbeing of ethnic Estonians. According to the preamble of the Constitution, the Republic of Estonia “is established on the inextinguishable right of the Estonian people to national self-determination which was proclaimed on February 24, 1918,” and the state “shall guarantee the preservation of the Estonian nation and its culture throughout the ages.” The Constitution also states that “The official language of Estonia shall be Estonian” and “The national colors of Estonia are blue, black and white.” In fact, the language, symbols, calendar, heroes and monuments of the state are strictly Estonian.

Estonian ethnic ascendancy is particularly evident in the laws on language, citizenship, naturalization and immigration. The Estonian language is not just the single state language but is also endowed with an extraordinary status. The

constitution provides for the right of all citizens to have instruction in Estonian, to address local and state governments in Estonian, and to receive every service anywhere in the country in Estonian. Labeling of products, advertisements, public announcements, and communications at the workplace must be made in or also in Estonian. For instance, a Russian-speaking vendor in the Russian-speaking city of Narva is expected to serve customers in Estonian if they speak to him or her in Estonian. The express objectives of these legal provisions are that every ethnic Estonian should feel at home anywhere in Estonia and that a major obstacle to integration and even assimilation of non-Estonians into Estonians is removed. Knowledge of the Estonian language and Estonian citizenship are requirements for becoming a candidate for an elective office in the central and local governments. Estonian is also the official language of all local governments, although they are allowed to conduct their internal affairs in a minority language if the minority constitutes over 50 per cent of their residents. In the year 2007 the curriculum in non-Estonian high schools must begin to change so that 60 per cent of it will finally be taught in Estonian.

The citizenship law clearly aims to maximize the number of ethnic Estonians and to minimize the share of others. Drawing on the ideology of legal restorationism, citizenship is accorded to persons who were citizens before 1940 and to their descendants. Since the overwhelming majority of Russian-speakers arrived after 1940, the law is obviously designed to exclude them. These former Soviet citizens all of a sudden became aliens and had to apply for residence and work permits. As a result 70 per cent of Russian-speakers are not citizens of Estonia.

The Estonian naturalization law is quite restrictive. For Russian-speakers who are already in the country, it requires a legal residence for five years, passing of a comprehensive test in the Estonian language and a test on the Estonian Constitution, a legal income, pledge of allegiance to the country and to the Constitution, and renunciation of any foreign citizenship. Most of these strict requirements are waived for children born in Estonia to stateless parents since 1992 in order to comply with the *International Convention on Children Rights*.

Settlement in Estonia is practically administered through two separate tracks: return and immigration. The constitutional provision that “every [ethnic] Estonian shall have the right to settle in Estonia” is equivalent to right of return. Estonia has a Diaspora of 100,000, living mostly in North America and Scandinavia. Since they

originate from pre-1940 Estonian citizens, they qualify for return to Estonia and for automatic citizenship. In fact, only a few returned because of the advantages of living in the West. Estonia has a commitment to preserve the Estonian identity of Diaspora Estonians and to strengthen their ties to their original homeland. It helps them with language instruction and cultural activities. In a complementary fashion, immigration to Estonia is practically denied to non-Estonians.

Estonians actually own and control the lands in Estonia. Privatization meant restoring lands to their previous owners who were ethnic Estonians before the Soviet takeover. Land ownership of Russian-speakers is restricted to residential dwellings only, even in areas where they constitute a majority.

### *Perceived Threats*

Estonia and ethnic Estonians are preoccupied with two large-scale threats. The immediate and clear danger is posed to the territorial and political integrity of the state. Soviet occupation and oppression are still fresh memories. Russia avoids signing a border treaty with Estonia although there is no longer any territorial issue.<sup>27</sup> It is a superpower whose political regime is short of stable democracy and its economy is in continued crisis. It is feared that instability and rise of nationalist-reactionary political forces in Russia might trigger intervention in the small and fragile neighboring state whose territory used to be part of Tsarist Russia and the Soviet empire. Estonia tries to protect itself by joining NATO and the EU and by acting as part of the Baltic Rim.

The security threat to Estonia is exacerbated by the nature of its main minority. The northeast region and areas bordering with Russia are mostly populated by Russian-speakers, of whom most are aliens, with firm linguistic and cultural attachment to Russia and unclear loyalty to Estonia. Both Russia and Russian-

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<sup>27</sup> According to the Tartu Peace Treaty of 1920 Soviet Russia agreed to a loss of areas which increased Estonian territory by 5 per cent. These areas were ceded back to the Russian republic during the Soviet era (1940-91). After renewing its sovereignty, Estonia claimed the 1920 borders to be its official boundaries according to the restorationist principle and formalized this claim in article 122 of its Constitution. This claim proved to be unrealistic because Russia would not give up territory which was Russian before 1920 and populated by Russians at present. It is also not in Estonian interest to boost its Russian-speaking population by regaining Russian territory. For this reason and also because Estonia must have recognized permanent borders in order to join the EU, it dropped this demand in 1995 and since then it has been ready to sign a border treaty with Russia. But Russia is not signing the treaty in order to pressure Estonia to improve its treatment of the Russian-speaking minority. Estonia is, however, told by the EU that the Russian failure to sign the agreed-upon border treaty will not be a reason for not acceding the EU.

speakers see Russia as the ethnic patron of Russian-speakers and the fact that 88,000 residents in Estonia are Russian citizens gives Russia extra and ostensibly legitimate grounds for intrusion.

The other big threat is directed to the very survival of Estonians as an ethnic nation. The Estonians are a very small people numbering only 1,050,000 million (950,000 in Estonia and 100,000 abroad). Their language is unique, hard to learn and useless outside Estonia. They may lose people through emigration to the West, cultural attrition and assimilation. The ethnic Estonian elite and public feel strongly that only by building an Estonian nation-state which promotes the language, culture, demography, interests and welfare of ethnic Estonians, this menace to national survival can be checked. It is widely believed that to be attractive and viable, Estonia must be part of the West and offer Estonians western standards and lifestyles.

The need for an ethnic nation-state is vital also because of the ethnic composition of Estonia. In the eyes of ethnic Estonians, who make up a declining majority of less than two-thirds, Russian speakers, with a share of one-third of the population, constitute a too big, non-assimilating, dissident, potentially disloyal and formidable minority. To radically change the minority's threatening character, the state uses disenfranchisement and naturalization as a machinery of control. Denial of citizenship puts Russian-speakers in a state of basic insecurity, powerlessness and disorientation. It also neutralizes them as an effective political force for transforming the country into a bilingual, bicultural and binational state. The long process and the various stipulations to acquire citizenship are meant to be a critical rite of passage to loyalty to the country and to the state's ethnic regime as well as to preparedness for integration and assimilation. A series of governmental integration programs intend to facilitate integration and assimilation of the Russian-speaking community, to appease it and to send a goodwill message to the monitoring international bodies while keeping intact the structures of ethnic ascendancy.<sup>28</sup>

### *Quasi-Democracy*

The complexity of the situation in Estonia raises a big question regarding the classification of the regime. There is no doubt that Estonia is a democracy for the

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<sup>28</sup> Semjonov (2000) argues that equality of rights should precede true integration, and not the other way round.



majority. It maintains separation of powers, fair and free elections, change of governments, independent judiciary, free press, and the like. The Estonian democracy relies on the democratic tradition of the 1920s and part of the 1930s. Democracy is also supported by the Estonian elite and general public. They understand that to secure Estonia's survival and progress, it is required to join the West, and a stable democracy is a precondition. The Western world considers Estonia as a well-functioning democracy to the extent that it was upgraded to the select category of countries entitled to the first round of accession to the EU, while the less democratic Slovakia was downgraded to the second round. The EU, OSCE and the Council of Europe advise and pressure Estonia to ease its criteria of naturalization and to assist non-citizens in meeting them in order to reduce the size of the alien population.

The scientific and normative question remains, however, if Estonia should be treated as a *Herrenvolk* democracy, an ethnic democracy, or rather a civic democracy. According to Linz and Stepan (1996), Estonia and Latvia do not qualify as democracies (or they qualify as *Herrenvolk* democracies) as long as they keep denying the vote to most members of the non-Baltic, Russian-speaking minorities.<sup>29</sup> This assessment is based on the fact that the Russian-speaking minorities were citizens before 1991, at the time of their arrival they were bona fide migrants from one part of the Soviet homeland to another, and since 1991 they have demanded full citizenship and seen their lives and future tied to the Baltic states.

This view is rejected by most writers on Estonia. Estonian scholars either avoid the issue altogether, accept the "normalcy" and fairness of the Constitution and state policies, point to Estonia's turbulent and unique history as a justification, or stress the liberalization policies over time. Vetik (2000) presents Estonia, as reshaped by the 2000 state program of integration in Estonian society (Government of Estonia 2000), as an evolving multicultural democracy. Taagepera (1994), an Estonian-American political scientist who ran as a candidate to the state presidency, finds fundamental similarities between Estonia and Israel and regards both as ethnic democracies. Other western scholars are similarly lenient in their judgment. G. Smith (1996) classifies Estonia as an ethnic democracy and advances a general thesis that denial or strict regulation of citizenship is a characteristic on which ethnic democracies vary.

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<sup>29</sup> Linz and Stepan use the term "ethnic democracy" as a synonym of "*Herrenvolk* democracy." They condition the transition to and consolidation of democracy in Estonia and Latvia on the enfranchisement of the Russian-speaking minorities.

Kymlicka (2000) regards Estonia as a democracy, stressing the peculiar status of Russian-speakers, stemming from being at once partly transients, partly immigrants and partly natives. The view that Estonia is some kind of democracy is supported by the fact that the years from 1940 to 1991 were a period of illegal Soviet occupation that brought over resident aliens; Russian-speakers were citizens of the defunct Soviet Union, not of Estonia, and hence cannot make claims to Estonia; throughout the time of their settlement they were regarded by locals as intruders, colonists and transients, and they did not make any effort to mix, integrate or assimilate; and naturalization is in principle possible, though under restrictive conditions.

In this controversy on the classification of Estonia, I tend to regard Estonia as a nation-state that is slowly developing into an ethnic democracy. Estonia does not exhibit the essential feature of ethnic democracy, viz., that permanent residents are enfranchised and able to avail themselves of democratic procedures in their fight for change. Estonia denies automatic citizenship to Russian-speakers despite the fact that they are and see themselves as a permanent part of the state and demand automatic citizenship. In contrast, Israel is an ethnic democracy because the Arab minority is extended citizenship and the non-citizen Palestinians in the West Bank and Gaza are not and do not want to be part of Israel. Järve (2000) rightly claims that Estonia can already be seen as an ethnic democracy for the one-tenth of its Russian-speaking population who are citizens. As the proportion of non-citizens (close to one-quarter of the total population in 2000) steadily diminishes, Estonia will increasingly qualify as an ethnic democracy.

Estonia is not a diminished ethnic democracy because the Russian-speakers are deprived of the basic means of conducting democratic struggle. Most of them, being non-citizens, are not allowed to form or join political parties, to vote to the parliament, to be elected to public office, and to be employed in the civil service. Their deficient knowledge of the Estonian language limits their access to middle- and high-ranking jobs in the labor market which functions in Estonian. They cannot take advantage of Estonia's liberal law on cultural autonomy and other laws and conventions on the protection of minority rights because these legal or international provisions apply to citizens only. They are completely excluded from the national power structure. Their disorganization and helplessness are considerable to the extent that even their representation in the city council of Tallinn, where they number half of

the residents, is meager, although permanent residents (stateless persons and foreign nationals) may vote (but may not run for office) in local elections.

### *Factors Conducive to Emergence*

Although the factors conducive to the emergence of an ethnic democracy in Estonia prevailed during 1989-90 and although at that time there was a struggle among ethnic Estonians on the type of regime to be established, the final outcome was a quasi-democracy. The configuration of conditions in favor of ethnic democracy in Estonia consisted of a public and elite commitment to democracy, a strong sense of an Estonian ethnic nation under a threat of survival, and a deep-seated fear and rejection of Russian-speakers. However, the essential demographic condition was missing. Russian-speakers were a prohibitively big and unmanageable minority. Had they been automatically enfranchised, they could certainly have used their power to stop the project of building an Estonian ethnic nation-state or at least to de-stabilize the country.<sup>30</sup>

### *Conditions of Stability*

The Russian-speaking community has so far not reacted to Estonia's hardline policies with a mass exodus and unrest. It has shown remarkable impotence and accommodation. This is mostly due to the debilitating control through disenfranchisement and its legitimization by the ideology of "legal restorationism" that the West accepts in principle. But there are many other contributory factors to the acquiescence of the Russian-speaking minority, including the active western backing of Estonia, Russia's non-intervention, the prospects of naturalization under certain conditions, the Russian-speakers' belief in a better future for their children who will surely become citizens of both Estonia and the EU, the better economic opportunities in Estonia as compared to Russia, the great difficulties of resettlement in Russia and the lack of option to immigrate to the West.

The current political system is, nevertheless, transitional and the question is what is the likely trajectory. Estonia will become an ethnic democracy if ethnic Estonians

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<sup>30</sup> The impact of the demographic factor is evident in the other two Baltic states. The demographic ratio is much more skewed in Latvia than in Estonia, where ethnic Latvians constituted only 52.0 per cent of the total population in 1989. Latvia also chose the road of disenfranchisement of post-1940 immigrants-settlers. On the other hand, Lithuania extended citizenship for all because ethnic Lithuanians make up 84 per cent of the population.

will increase their majority appreciably by the emigration or assimilation of part of the Russian-speakers. In addition, for an ethnic democracy to be stable, ethnic Estonians should continue to feel strongly that an ethnic nation-state is necessary for the invaluable survival of the Estonian ethnic nation and for the containment of the threats emanating from a Russian-speaking minority that is non-assimilating, dissident and backed by Russia.

Ethnic democracy may be, however, deemed undesirable or redundant if the shrinking Russian-speaking minority will prove to be loyal, trustworthy, accommodating, detached from Russia, assimilating and absolutely needed in a very small state like Estonia that is suffering from a growing demographic deficit. This scenario will encourage a shift toward a civic type of democracy.

#### **D. Northern Ireland (1921-72)<sup>31</sup>**

Ulster was an ethnic democracy during its statutory autonomy from 1921 to 1972. The Protestant majority perceived Ulster as its patrimony and instituted its dominance over it. The Protestants excluded the Catholics from the national power structure, exercised institutional discrimination against them, defined them as a potentially disloyal minority and imposed control over them. At the same time, Ulster was a democracy for all and the Catholics were represented in the parliament, maintained a viable civil society (control of their schools, churches and a network of organizations) and retained firm ties with Ireland.

The system collapsed in 1972 when the British government suspended autonomy and ruled Northern Ireland directly. This change occurred as a result of Protestant intransigence on the one hand, and the large and unmanageable size and substantial political strength of the Catholic minority on the other. After many abortive attempts, the British slowly moved to institute consociational democracy and to involve Ireland in Ulster's internal affairs. The new system was agreed upon and started to operate in 1999.

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<sup>31</sup> For the application of the ethnic democracy model to Northern Ireland, see Smootha 1997b and 2001. Other useful sources include Wilson 1989; Whyte 1990; O'Leary and McGarry 1993, 1995; and McGarry 1998 and 2001.

### **E. Poland (1918-35)<sup>32</sup>**

When Poland became independent in 1918, after a century and a half of division and subjugation, it initiated a large-scale project of nationalization of the state, namely, establishing the ethnic Poles as a core ethnic nation and turning Poland into an ethnic democracy. The country was identified as the state of and for ethnic Poles and a policy of exclusion was practiced against the non-core minorities which constituted 30 per cent of the population at the time. Polanization proceeded vigorously in language, education, media and representation in the economy and in regions where ethnic Poles were exceedingly underrepresented. The middle-class German minority (4 per cent) in the West, seen as disloyal, was mostly driven out. The assimilation policy toward the Slavs (18 per cent) in the East failed because it was imposed with discrimination and without incentives. Considered unworthy of assimilation, the widely dispersed Jews (8 per cent) were neutralized by the anti-Semitic state, encouraged to leave and partly dispossessed.

After 1935 Poland lost its democracy, shifting from an ethnic democracy to a non-democratic ethnic state. Despite its strong ethnic ties, post-communist Poland can afford liberal democracy because during and in the aftermath of World War Two it got rid of all its national minorities.

### **F. Malaysia<sup>33</sup>**

Since the early 1970s Malaysia has become an ethnic democracy, although a weak and restricted democracy. From independence in 1957 through 1969, it was considered a successful consociational democracy. The Malay majority held political power and the Chinese and Indian minorities kept economic power. The coalition government included all the major ethnic groups, group autonomy was respected and politics of compromise prevailed.

The system was reconstituted in the 1970s as an ethnic democracy. Since the shift in regime, the state has been identified with the Malay majority. It institutionalizes Malay dominance, Islam as a state religion and Malay as a state language. Immigration policy is designed to preserve a Malay majority. State preferential treatment of Malays in admission to the universities and state civil service and in

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<sup>32</sup> For relevant accounts, see Landa 1986; Tomaszewski 1993; Brubaker 1996: chapter 4.

<sup>33</sup> For discussing the ethnic divide in Malaysia, see Esman 1972; Rumley and Yiftachel 1993.

certain economic ventures is instituted as a common policy. Restrictions are imposed on land acquisitions by non-Malays. At the same time, the Chinese and Indian minorities continue to maintain cultural autonomy and to participate in coalition governments.

## **10. Some Implications**

The model of ethnic democracy has further implications for the political integration and ethnonational peace of a society.

1. *Ethnic democracy is an effective integrative, assimilative and mobilizing tool for members of the core ethnic nation.* It is a highly inclusionary instrument, instilling a strong ethnic-national identity and reinforcing a keen sense of a common destiny. This is well shown in Israel in the rapid amalgamation of Jews hailing from over one hundred countries. The state has successfully induced the population to accept millions of immigrants and has mobilized both oldtimers and newcomers for the reconstruction of society and for the great war effort.

2. *Ethnic democracy is an inegalitarian, exclusionary, disintegrative, segregative and alienating force for non-core groups.* This is true for the minorities in all the countries discussed above: Arabs in Israel, Hungarians in Slovakia, Russian-speakers in Estonia, Catholics in Northern Ireland, non-Poles in inter-war Poland, and Chinese and Indians in Malaysia. Assimilation, as measured in rates of intermarriage, loss of original language and adoption of local identity, is much lower in ethnic democracies than in liberal democracies (see for example the high assimilation of all minorities, excluding the special case of African-Americans, in the United States).

3. *Ethnic democracy itself is a key controversial issue dividing majority and minority.* While liberal, multicultural and consociational democracies do not become internal divisive issues, ethnic democracy does. Legitimacy of the regime is deficient in the eyes of the minorities who regard it as a means of discrimination against them. Objection to ethnic democracy is prevalent among the minorities in all the reviewed cases. Aware of the inherent problem of illegitimacy, the state tries to get the compliance of the minorities but not their identification with the system.

4. *If given a choice, non-assimilating minorities would prefer consociational democracy most, then multicultural democracy, then ethnic democracy, while liberal democracy is the least preferred.* Since consociational and multicultural democracy

provide both separation and equality, they are the best options. On the other hand, the assimilative pressures of liberal democracy threaten non-assimilating minorities, and hence it is the worst choice. The intermediary position of ethnic democracy stems from its provision of separation along with considerable opportunities and rights. Indeed, surveys in Israel show that the Arabs' first choice is consociational or multicultural democracy, but they prefer improved ethnic democracy to liberal democracy.

5. *Non-core groups conduct continuous struggle that results in incremental and inconsistent change.* Minorities wage a struggle for equality and against the restrictions imposed on them. Since they lack the power to bring about radical change, the system changes only incrementally. The democratic game results in gains and losses and in inconsistent and patchwork situations. Consequently the status of minorities is complex and unbalanced. For instance, Catholics in Northern Ireland were discriminated against but they enjoyed autonomy. The Chinese in Malaysia maintain a strong socioeconomic position and participation in government despite the preferential treatment of Malays in all spheres of life. Arab struggle in Israel caused an end to the expropriation of lands to which they possess titles.

6. *Ethnic democracy may become less functional over time and may diminish and even change to another type of democracy.* It is quite likely that Slovakia may become a multicultural democracy. On the other hand, there are slim chances that Israel will become a civic democracy because the project of the ingathering of the exiles is far from being complete (most Jews still live in the Diaspora) and the Jewish state will continue to live in an insecure environment for a long time to come.

## **11. Conclusions**

Various forces are impinging on the relatively homogenous, liberal-democratic nation-state in the West. They include globalization, regional integration and agreements on universal minority rights on the one hand, and defiance of assimilation by national minorities, indigenous peoples and immigrants, on the other. The western nation-state is shifting toward "multicultural democracy," a newly forming regime that can better accommodate these pressures and minority claims.

While western countries are decoupling the nation-state and are becoming more multicultural in ideology and practice, there are other states that are engaged, rather,

in designing and crystallizing a nation-state on the basis of two conflicting organizing principles: democracy for all and ethnonational ascendancy of the majority group. These states are driven by a strong impulse of ethnonationalism that seeks satisfaction in an ethnic nation-state and by a sense of threat posed by ethnocultural, ethnonational, non-assimilating and dissident groups living in the country. Some of the new-old states in Central-Eastern Europe are prime examples, but as the process of democratization gathers momentum more divided societies will develop along these lines.

The construction of ethnic democracy as a distinct analytical type is necessary for accounting for these cases that are not properly classifiable by the existing models of liberal, consociational and *Herrenvolk* democracy, and by the addition of a new type of multicultural democracy. Ethnic democracy is based on an inherent contradiction between extension of rights and freedoms for all and institutionalized ethnic dominance and exclusion. The model of ethnic democracy consists of features, factors conducive for emergence and conditions of stability. It is an elaborated model that contributes to the descriptive, analytical and theoretical tools for the comparative study of political systems in divided societies. In addition to offering a description, the model helps in generalizing about the dynamics of the regime – circumstances leading to the rise, consolidation, shift, or disintegration of ethnic democracy.

The incorporation of non-democratic elements into the model of ethnic democracy has become a major reason for criticism and even rejection of the model by some scholars. Ethnic democracy is criticized for being illegitimate (a non-democracy posing as a democracy), unstable (a political system built on inherent contradictions cannot be stable) and inefficient (conflicts are left simmering).

Israel within its pre-1967 borders serves as an archetype, a springboard and a benchmark for the initial formulation and further development of the model of ethnic democracy. A detailed analysis of Israel shows that it is a viable and stable democracy, but fitting none of the existing, civic, western types of democracy. It is better understood as a case of ethnic democracy. The state is constituted as the homeland of the Jewish core ethnic nation, with a large Diaspora, and its institutions, policies and symbols are streamlined to cater to the Jewish majority, not to its citizens. Seen by the Jews as a numerically and electorally significant, ideologically dissident and potentially disloyal minority, Israeli Arabs are, nevertheless, accorded civil and political rights as well as all the necessary arrangements to preserve their



separate existence and identity. Arab citizens have undergone a process of Israelization without assimilation and gradual adaptation to the Jewish and democratic state. The democratization of the state and the continued militant Israeli Arab struggle, among other factors, have forced ethnic democracy to liberalize over the years. Fifty-three years of Arab-Jewish coexistence have shown that ethnic democracy can be a flexible, adaptable and sustainable system in keeping political stability in a divided society. Ethnic democracy in Israel will be further reformed if and when the Jewish majority concedes to the Arab minority a policy of non-discrimination, cultural autonomy, inclusion into coalition politics and into the national power structure, and state recognition of the Arabs as a Palestinian national minority. Such reforms can be made without abandoning ethnic democracy.

Ethnic democracy is especially attractive to ethnic states that are democratizing. The transition from a non-democracy to a liberal, multicultural or consociational democracy is too big a jump to make for some of these ethnic states, discovering ethnic democracy as a compromise that allows them to retain ethnic dominance and ethnic nationalism along with democracy. Some of the independent states of the former Soviet Union, especially Estonia, Latvia, Georgia and the Moslem states, are moving in this direction.

Slovakia is another case in point. After gaining independence in 1993, ethnic Slovaks have for the first time a state of their own in which they can fully fulfill their right to self-determination after centuries of being ruled by the Hungarians and partly dominated by the Czech. The new state declares itself to be the state of the Slovak ethnic nation, not its citizens, and is building Slovakia as a uninational, unilingual and unicultural state. It perceives the Hungarian minority as a major national threat. The Hungarians are a non-assimilating minority, concentrated on the southern border with Hungary in areas ceded from Hungary, officially attached to and supported by Hungary, highly mobilized and demanding autonomy and other national rights.

Estonia is another pertinent case. After it regained its independence in 1991, Estonia proclaimed itself the state of the Estonian ethnic nation, imposed Estonian as the sole official language, singled out the big Russian-speaking minority as a national threat and, most importantly, adopted laws and policies that deny most of the Russian-speakers political citizenship and restrict their rights in many areas of life. Estonia qualifies as an ethnic democracy only for one-tenth of its minority population that is

enfranchised but as long as the remaining one-quarter continues to be disenfranchised it is only a quasi-democracy.

The application of the model of ethnic democracy to Israel, Slovakia and Estonia demonstrates that ethnic democracies are distinct from both civic democracies and non-democracies. These three countries have in common deep divided societies (significant, dissenting, non-assimilating national minorities with affiliation to external homelands), strong orientation to the West, mixed economies and democratic structures. They are all engaged in nation- and state-building. They see themselves and are seen by the West as democracies. Yet, all of them assert themselves as homelands of ethnic majorities, aiming to promote the demography, language, culture, identity and interests of their majorities, rather than their citizenries. The ethnic rule for organizing state and society conflicts with the democratic rule, resulting in considerable tensions and numerous dilemmas.

Ethnic democracy is also found in other ethnically split countries. A relatively stable ethnic democracy prevails in Malaysia. On the other hand, ethnic democracy broke down in Northern Ireland in 1972 and in Poland during the inter-war period. Turkey with its outright rejection of the large Kurdish population as a national minority is a clear candidate for ethnic democracy provided it consolidates its democracy. Québec and the Palestinian Authority, if and when they achieve sovereignty, may strongly lean toward ethnic democracy because of their ethnic nationalism and long-term national frustration.

The ethnic democracy model is non-western in essence, but it is to a certain degree also relevant to Germany. In Germany a clearcut distinction is made between a German core ethnic nation and non-core groups. Germany lacks an immigration law despite the existence of millions of immigrants and practices a policy of restricting citizenship to ethnic Germans (it absorbed about 15 million of them since 1945 as “returnees,” not immigrants) as much as possible (Fulbrook 1996; Halfmann 1997; Joppke 1996).

Non-western and democratic Japan is similar to Germany in many ethnic respects. In order to keep its ethnic purity, it virtually disallows immigration and naturalization of non-ethnic Japanese. Instead of importing cheap labor, it exports production. The relevance of the Japanese preoccupation with racial, ethnic and cultural purity can be elucidated by the ethnic democracy model.

The ideology and politics of the radical right in western countries, especially in France, are manifestations that can be illuminated by the model of ethnic democracy. The cultural and ethnic diversity introduced by the immigration of non-western peoples to the West brings to the open layers of intolerance, hidden and dormant in these societies. The radical right plays on popular discontent and anxiety, advocating solutions tantamount to the transformation of the system from a civic democracy to an ethnic democracy. The attraction of the radical right reflects the tenacity of ethnicity and the continued appeal of ethnic democracy to certain strata in liberal democracies.

Ethnic democracy is a descriptive and analytical, not a normative model. Although it may enjoy international legitimacy, as in the case of Israel, it can serve both supporters and critics. A familiarity with all the types of democracy would help the advocates and opponents of any given system of democracy to clarify their positions and to sort out their differences. On the other hand, multicultural democracy is both a descriptive and analytical type and a normative model endorsed by the rising ideology of multiculturalism.

The new wave of democratization in the world today makes ethnic democracy a promising theoretical model. It is a particularly pertinent trajectory for some democratizing ethnic states that would prefer this avenue, instead of liberal, multicultural or consociational democracy, because it does not require the renouncement of ethnic ascendancy by the dominant majorities.

The model of ethnic democracy is awaiting a comparative study of ethnic democracies for further theoretical formulation and empirical enrichment.

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